

A KALENDER, OR
TABLE, COMPREHEN-
ding the effect of all the Statutes that haue
beene made and put in print, beginning with Magna
Charta, enacted Anno 9. H. 3. and proceeding one by one, un-
till the end of the Session of Parliament holden Anno 7. R. IACOBI;
declaring by certaine Characters, which of the same Statutes or Braunches of
Statutes, be repealed, which be expired, which be altered in the whole, or part,
which be worne out of vse, which were ordained for particular persons,
or places, and which being generall, in force, and vse, are
inserted in the severall Titles of this
Abridgement.

Whereunto is annexed an Abridgement of all the Statutes,
whereof the whole or any part is generall, in force, and vse, with cer-
taine Quæres, Cautions, and Aduertisements of such things that be doubtfull,
together with the Authoritie and Duetie of Iustices, Sherifes, Coroners, Escheators,
Maiors, Bailifes, Customers, Stewards of Leetes and Liberties, and what things
by severall Statutes in force, they must, may, ought, or
are compellable to doe.

Editum per mandatum Domini Regis.

Collected by FARDINANDO PVLTON of
Lincolns Inne esquire, and by him againe aug-
mented, sithence the Session of Parliament holden
Anno septimo Regis Iacobi.

LONDON
Printed for the Companie of Stationers,
An. Dom. 1617.

Cum Privilegio.

A. Præmissis Edit. 1608 per. R. E. T.

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TO THE CHRISTIAN

Reader, FARDINANDO PVLTON

*of Lincolnes Inn, wisheth the knowledge
of the Lawes of God, and this Realme, and
the true vse thereof.*

When Almighty God had with diuers miraculous Plagues punished the land of Exod. 7. & 8. Ægypt, for his people of Israels sake, carried them through the red Sea, drowned therein King *Pharaoh*, and his Hoast, sweetned their bitter Waters for them to drinke, sent them food from Heauen, and brought them by a cloudie Pillar in the day, and a fierie Pillar in the night, vntill they came to Mount *Sinai*; He then gaue them diuers Commandements, and made vnto them many Lawes and Statutes, concerning due honour to be done vnto him, touching their duetie to their Princes, Magistrates, and Leuites, to their Parents, Neighbours, and Strangers, concerning the direction, order, and guiding of their wiues, children, seruants, lands, goods, and other things necessarie for the vse of man: And then most strictly charged them, that the same Commaundements should bee in their hearts, that they should shew them vnto their Children, that they should talke of them when they were at home in their houses, and as they walke by the way, when they lye downe, and when they rise vp; that they should bind them for a signe vpon their hands, that they should be Frontlets betwixt their eyes, Deut. 10. that they should write them vpon the postes of their houses, and vpon their gates: And moreouer, when they came into the land of Promise, that they should set vp great stones in Mount Eball, plaster them

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Iosh. 8.

with Plaster, and write vpon them all the words of those Lawes: Which Commandement *Ioshua* the seruant of God, did after faithfully performe. Euen so, when those godlie Princes *Codwallader, Egbert, Etheldred, Alured, Adelfson, Edgar, Canutus, Edward*, and other renowned Kings of this Realme had by their deep wisedomes, and valiant prowes, subdued their forreine enemies, and vnited seuen feuerall Principalities, and Regall Estates into this one mightie and noble Kingdome, and had learned, and receiued such Customes, Maximes, and Lawes of the Britons, Romans, Saxons, and other Nations, as seemed agreeable to the Ordinances of Gods Church, correspondent to reason, and consonant to the inclination of the people; There was diuised a most high, stately, and honorable court, to rule and gouerne this Kingdome, and in Magnificence resembling the same, consisting in a sort of the three most annient and notable formes of government that euer were in the world, *viz. Monarchia, Aristocratia, and Democratia*, vnto which Court there are to assemble the King, the Lords Spirituall and Temporall, and certaine of the most discrete and meet men, chosen out of all Counties, Cities, and auncient Borroughes of this Realme, to handle, and haue conference together, touching the vrgent and great causes of the king, the State, and defence of the Church and Kingdome. According to which institution, the kings of this realme haue sithence that time not only holden their high Courts of Parliament, and therein by the consent of their Lords, and Commons, haue enacted some Lawes and Statutes, touching the weightie affaires of the Church, and Realme, some to reforme imperfections in the Common Lawes, some to examine Iudgements giuen in inferiour Courts, and others to repeale, alter, or change former Customes, Lawes, or Statutes: But also they haue beene vigilant that those Statutes which were newly ordained, should bee in such sort published, spread abroad, and made knowne, that each person bound to obey them, might take knowledge of that, whereby he was to liue, to receiue benefit, or to sustaine losse (alwaies intending that those Lawes which the finger of God hath written in the heart of man, or Nature infused into him vpon his creation, or Reason instilled into his breast, or which the foresaid auncient Maximes, and Customes of the Realme, being the verie fountaine, life, and root of our Common Lawes, haue by tradition made plaine, and laid open vnto vs, are not to any English man, hauing the vse of *Synderisis* vnknowne.) And therefore they haue ordained, that their Iustices of Oyer and Determiner, their Iustices of Assise at their generall Assises, their Iustices of Peace at their Quarter Sessions,



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sions, the sherifes in their Turnes, the stewards of Leets and Liberties in their Courts, should openly expound what Lawes and Statutes haue beene made for the punishment of seuerall offences, and also should inflict the penalties of them vpon the transgressors thereof, that the punishment of some might be a learning to others, to know the said Lawes, and a warning to them to eschew the daunger thereof. And further, they haue provided, that certaine speciall Statutes which be most popular, and into the perill whereof the ignorant people are most likely to slide, should be openly read in the foresaid Courts, that the hearers thereof should informe themselves, and also instruct their Neighbours at home of those Penall Lawes, and of the forfeitures thereof. And for that cause King *Edward* the first established by Parliament, That the Statute of *Magna Charta*, and *Charta Foresta*, should be openly read in Churches. King *Richard* the second enacted, That the Statute of Winchester should be proclaimed by euerie Sherife in his proper person foure times in the yeare in euerie Hundred within his Countie, and by his Bailifes in euerie Market. King *Henrie* the eight ordained, That the Statute made for the maintenance of Artillerie, and debarring of vnlawfull Games, should be proclaimed euerie quarter once, by all Maiors, Bailifes, Sherifes, and other Officers: And that Iustices of Gaole deliuerie, Iustices of Assise, and Iustices of peace, should cause the same to be proclaimed in the Sessions holden before them. So that in the place of Prayer, in the place of Iustice, and in the place of seeking our priuat commoditie, our Princes haue deuised to sound into our eares, and to imprint into our memorie, the effect of the foresaid Lawes, with the fruits that be promised to the obseruers, and the punishments which be threatned to the infringers thereof. And some whiles, finding time to worke forgetfulness, or their lenitie to incourage slacknesse in their Subiects of due obseruance of some speciall Statutes, with a fatherly care, they do by Commission, Proclamation, or some other meanes gently put them in remembrance thereof; requesting, perswading, and as it were vpon their blessing charging them, to play the parts of good Children, and duetifully to obey those Ordinances, which were decreed by their owne, or their Auncestors consent. Besides this, they haue caused to be printed the foresaid Statutes, with their Preambles, declaring the speciall considerations of the making of a new, abrogating, altering, or reforming of an old Law. So that our Princes haue vsed those Lawes, which seemed to them to be correspondent to the Ordinances of God, consonant to reason, and agreeable to the present inclination of their Subiects: they haue endeououred to publish them

25.Ed.1.3.

7.R.2.6.

33.H.8.9.

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further than writing in stone can doe; to the intent that ignorance of them might not excuse offendours, nor want of notice lead awrie such as are willing to liue in order. But because the Gouvernours of this State being from time to time, carefull to provide such Lawes as they accompted most commodious for the Weale publique, haue beene enforced to trie manie, to continue diuers, to alter and reforme some, according to the disposition of the People, the fertilitie or barrenesse of the Land, the quietnesse of the Gouvernement, the Friendship of the Religions adioyning, and other accidents and circumstances, whereunto our humane Nature is subiect; by that necessarie meanes our Statute Lawes are growne to bee manie, some much differing, and some meere contrarie, and repugnant to others. For sithence the time of King *Hentie* the third (in the ninth yeare of whose Raigne *Magna Charta*, the first Statute that wee haue in print was made) there haue beene a great number of Statutes enacted, whereof some were ordained to bee in force for one kings time, some for another, some for one number of yeares, some for another, some were repealed in part, and confirmed in part, some were repealed by generall, and some by speciall words (as by three Braunches of three speciall Statutes, there bee at the least one hundred and twentie other Statutes, and Braunches of Statutes repealed.) So that time hath wrought triall, much triall hath procured a number, a number provided at seuerall times, by seuerall persons, and to seuerall ends, hath brought in question, which of those statutes bee in force, and which not: And thereby imprinteth feare to many willing mindes to read, and discouragement to vnderstand those Lawes, which otherwise they would in their knowledge imbrace, and in their deeds obey. And thereupon considering with my selfe how carefull our Gouvernours haue beene in all ages, to provide good Lawes, how mindfull to publish them, and how desirous they should bee obserued; And againe, calling to remembrance how ioyfull euerie well aduised subiects is of good Lawes, how readie to learne them, and how odedient to execute them: And that the Princes and the subiects doing their parts, Time onely the beginner, increaser, and subuerter of humane policies, hath wrought some defects, and procured some doubts and difficulties in the Lawes: Therefore I haue vndertaken to comprehend in a Table, the effect of all the statutes in print, beginning with *Magna Charta*, and proceeding *seriatim*, vntill the end of the third session of Parliament, holden in the fourth yeare of the Raigne of our soueraigne Lord
king

1.H.4.3.
5.Ed.6.6.
5.Eliz.4.

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King *James*, and to declare by certaine Characters, which of the same Statutes, or braunches of Statutes bee repealed, which bee expired, which be altered in the whole, or part, which bee worne out of vse, which were ordained for particular persons, or places, and which be generall, in force and vse, leauing some few doubtfull, to be further considered of. Whereunto I haue in this volume annexed an Abridgement of all the statutes, whereof I take the whole, or any part to be generall in force and vse. Which worke I haue endeououred to performe to two speciall purposes; the one, *videlicet*, the later, to the intent that you (good Reader) may with some facilitie find those statutes and braunches of statutes which be in force, and receiued as Law at this day, and discerne them from such other, which be repealed, expired, altered, or worne out of vse: the other, *videlicet*, the former part, to the end you may perspicuously see, and as it were in a Glasse behold the Pietie, Vertue, Wisedome, and Politie of the chiefe Gouvernours of this kingdome from time to time in matters of greatest moment, almost by the space of foure hundred yeares. And yet seeing there haue beene in euerie age so many Demurrers, Disputations, and Questions betweene the reuerend Iudges, and the learned Lawyers of this Realme, touching the beginning, continuance, or ending of some statutes, concerning the Translation, Exposition, or meaning of some others, which doth argue manie imperfections to be in our statutes, or seuerall mens different and vnperfect conceits and opinions of them: Therefore I will intreat you (good Reader) not to expect an absolute and perfect worke to be framed of such an vnperfect subiect, and especially by an vnperfect man. Wee must confesse it to bee true which the great Orator *Marcus Tullius Cicero* writeth, That Historie is the witnesse of Time, the light of Truth, the store-house of Memorie, the Mistresse of Life, and Messenger of Antiquitie: and in some sort, wee find it to be true by our owne Chronicles. But yet wee haue no reason to make that reckoning, or to bestowe so much time in reading and perusing of our Histories (doe they promise, or represent vnto vs the shew of neuer so much truth) as wee haue of our statutes, eyther for the multitude or credite of the deuisors of them, or for the weight of the causes by them decided, or for the certaintie of the Lawes in them recorded. Our Histories doe report vnto vs the birth of our Princes, their Mariages, their Children, their successe in times of Peace and Warre, their Conquests they wonne, the Incounters they receiued, their seditions and Tumults at home by Competitors or Rebels, their Treatises and
Leagues

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Leagues abroad with forrein kings and States, their priuat vertues and imperfections, their deaths, and Successors, the Plentie and scarcitie, the Plagues, Inundations, Earthquakes, and other rare Accidents, which fell and chaunced in their times. So that our Historiographers, haue intreated principally of the quiet or turbulent liues, and certain deaths of our former Kings, chiefe Gouvernors, and principall Peers; of their prosperities and aduersities, of the beginning, increase, & ruine of their houses, remembred vnto vs, where fortune smiled, and where shee frowned vpon them, their seede, or people; being things whereunto all flesh and bloud is subiect, and in a sort to be resembled in euerie Family: But our statute lawes haue mounted aloft, and soared in a higher pitch: For by them hath bin set forth the glory of God, and the maintenance of his holy & catholike Church: By them the subiects of this Realme haue attributed to their Kings and soueraigne Lords, all due Obedience, Honours, and Prerogatiues, and haue both in times of Peace and Warre taken order to support their Estates, and to assist them with their bodies, lands, and goods: By them the Kings haue giuen correspondent protection to their subiects from forrein enemies, and intestine oppressions: By them euerie subiect enioyeth his owne, and one is defended from the sword & iniury of another: By them *Lex Talionis* is maintained with strangers, and a reciprocall course of traffique continued with other Nations: And by them our Sages haue endeauoured to vphold and aduance Charitie, Prudence, Iustice, Fortitude, Temperance, Patience, Chastitie, and other vertues: and to repress or weaken Pride, Malice, Reuenge, Rapine, Extortion, Periurie, Forgerie, Drunkenesse, Aduoutrie, Couetousnesse, and other maladies in the Commonwealch. And whosoever will peruse our Chronicles from the ninth yeare of King *Henry* the third, to this time, may easily perceiue that the Barons warres, the dissention between the houses of Yorke and Lancaster, the quarrell between King *Richard* the third, and king *Henry* the seuenth, the battails and skirmishes fought by our English people in Fraunce, Spaine, and Scotland, the violent, vntimely, and Tragicall deaths of king *Edward* the second, king *Richard* the second, king *Henry* the sixt, king *Edward* the fift, and king *Richard* the third, and the manifold Tumults, Seditions, and Rebellions at home, were the cause of many dolefull and lamentable Innouations, Calamities, & miseries: & that all the families in this land, from the kings Palace to the poorest Cottage, did at one time or other tast the vwo & smart therof. But if he wil also read our statuts made sithence the said ninth yere of king *Henry* the third, and consider of the causes, purports, effects,

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fects, and sequels of them, hee may easily perceiue, that some of those haue wrought greater alterations within this Kingdome in causes of most weightie importance, and fixed a deeper and more durable impression into the hearts and estates of men, then all the said warres, deaths, and tumults haue done. For neither did *Alexander* the great with his mightie Armie, nor *Iulius Caesar* with his forces win the victorie of so manie bodies, as certaine of our Statute Lawes haue wrought immutation, and conquest of wills. Yea, if a large Paraphrasis might be made without offence of some of our statutes, and of the true causes, peruiues and operations of them, many would be as readie to admire them for wonders, as to reuerence or obey them for Lawes. But hee that will turne the leafe on the other side and respect some other statutes, and the successe and effect of them, shall find the case farre otherwise, yea meere repugnant, and cleere contrarie: for whereas in all the Parliaments that haue been holden since the last Conquest, the whole Senate house haue bestowed at the least halfe their time and industrie, in hacking at part of the Branches, Boughes, Sprouts, Roots, or Leaues of that monstrous, vglie, and hideous Tree *Avaricia*, Time and Experience hath taught vs, *Quod operam & oleum perdiderunt*; for if some Bough or Braunch of hers hath been shred or snibbed by one Law at one time, it hath againe more largely sprouted our, and doubled her *Hydra's* head in an other forme and different shape, at another time. Our Law-makers haue oft-times made grievous complaint in open Parliament of severall Braunches or Buds of the same Tree, and amongst manie other, specially of one; That shee hath beene the decay of Temples, the withdrawer of Gods seruice, the ruine of Cities, the desolation of Townes, the nourishing of Idlenesse, the diminishing of People, the weakning of the Realme, and the impairing of Gods Church; and haue put in practise many kindes of redresse: But that Bough daily groweth, & increaseth more and more, and is openly nourished in haste to raise a snow-ball, which God hath giuen his word shall quickly melt againe: for as she stingeth her root oft times like an adder, & sometime like a viper, so she galleth foreiners with sorrowfull & grieved hearts, and with wet & weeping eies. And he that wil search our statutes one by one, from the first to the last, intended to the lopping or shredding of any Braunch or Bud of that cursed Tree, and thereby examine the liues and conuersations of men, may with both his eyes see, that though some of the offences leuelled at by those Lawes, be transfigured into other shapes; yet none of them be wholly reformed at this day, yea, scarce any thing amended, be the Law to the contrary neuer
so

4.H.7.19.

7.H.8.1.

27.H.8.22.

5.Ed.6.5.

5.Eliz.2.

39.El.1.2.

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so strict, or the penaltie neuer so great. And the same creeping weed hath fixed her rootes so deeply in the hearts of so many of each sexe, Function, Vocation and Degree, and such a multitude haue confessed themselues Bondmen to her in Court of Record, that I feare shee will liue and flourish, when her impugnors shall be dead, and lye buried in their graues. If the Question should bee asked me, what the reason is, Wherefore in matters meant to the honour of God, the gouernment of his Church, the title to the Crowne, the right of succession thereof, the Prerogatiues annexed thereunto, the solemn Othes taken for the corroboration of the same, and some other causes of great consequence, our Parliament Lawes could both attempt, and effect such and so many Innouations and Changes; and in things tending to *Pruiatum commodum*, being more base of condition, can worke so small alteration, and preuaile so little; and vpon what reason so many statutes haue bene made in euerie age for the repressing of the later, and so few in comparison thereof touching the first: I would answer thereunto touching the former, with King *Salomon*, who describing the nature and operation of time, saith *Omnia tempus habent, & suis spatiis transeunt Vniuersa sub calo: Est tempus plantandi, & est tempus eradicandi.* And the same King deciphering man in his coate armour with his naturall colours, affirmeth: *Quod Deus fecerit hominem rectum, & ipse se infinitis miscuerit questionibus.* That is to say, All things which man hath the managing of, in times haue their beginning, increase, perfection, and alteration, and so haue the manner and forme of Gouernments, and the Lawes made for the establishment of them. Man is continually in motion and action, intangling his head with new questions; he doth rather applaude his owne proper conceit, then the censure of his forefathers: for as his bodie is nothing but the slime of the earth, dust and ashes, his glorie and countenance but like smoake, froth, and the morning dew, so bee his deuices and resolutions wauering, mutable, vnconstant, and as letters written in yce; and therefore hee is aptly tearmed *Vanitas, & Vanitati similis.* And though reason be the cognisance, badge, and difference of man from other creatures, yet he doth too often attempt to wrest reason to his priuat opinion, and too seldome subiugate his opinion to reason. And moreouer, though the first be matters of weight, yet we behold them *à longè*, wee looke on them through our fingers, wee conceiue they belong not to vs, or that others shall beare the brunt or burden of them, or that it will bee a long time before wee shall come to accom-
spect

Eccl. 3.

Eccl. 7.

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spect vnto them. But if *Meum & tuum, videlicet*, any wrangle for
 priuate profite bee once set on foot, then wee presently bustle, wee
 ride, we runne, wee crouch, wee kneele, wee vse the Cappe, the
 Barre, the Tongue, the Sword, or Baston, as they will auaille vs:
 Then the young Sonne enquireth of his old Fathers yeares, and sen-
 deth out *Formdons* after his death, quarrelleth with his Mothers Ioin-
 ture, threatneth his Brethren with an Entaile, and vpon enquest of
Affess, abridgeth his Sisters portions: Then are all the bonds of
 Neighbourhood, Amitie, Kindred, and Duetie broken; for *Achab* 3.Reg. 21.
 will rise out of his graue, and wrest a Vineyard from his neighbour
Naboth; *Dalila* will play false againe, and betray her louer *Sampson*; Iudic. 16.
 the Heards-men of *Abraham* and *Lot* will fall out, and themselues will Gene. 13.
 part companie; And in hope to get thirtie pence, *Judas* will sell and
 betray his Master. And though wee all doe know, that this greedie Math. 13.
 desire of hauing, grasping, manner of getting, and insatiable thirst
 of possession, be the root of all iniquitie, be the thornes that choake
 the corne sown in Gods owne field, and the barren Fig Tree, which 1.Tim. 1.
 Christ himselve did curse: Yet seeing it is a Moath feeding within
 our Natures, a Rust that hath his essence from our bowels, and a
 Canker growen out of our owne corruption, wee goe discontent-
 ed and heauie away, and make as many delayes, shifts, and euasi-
 ons as wee can, when any of our Statute Lawes shall attempt to be-
 reauce vs of it, diminish, or wrest it from vs: Which affection of
 ours the makers of Lawes in euerie age perceiuing, haue indeauored
 to grapple with, and to the vtermost of their prouidence, to curbe
 it, by stopping of euerie starting hole, where Auarice might peepe
 out her head. And by that meanes those Statutes aboue other haue
 multiplyed to so large a bulke, and are growen to that mightie num-
 ber. Wherefore, seeing our Statute Lawes are so many, and of so
 different natures, and doe leuell at so seuerall markes, and tend to
 such a multiplictie of ends, and that whether wee consent, or not,
 wee must either humbly submit our selues to the obedience, or pa-
 tiently endure the penalties of them; you shall doe well (good Rea-
 der) seriously to consider of them, and to the vtermost of your ca-
 pacitie to meditate vpon them, one by one; For by the knowledge
 and vse of them, you may direct your will, your life, and priuat acti-
 ons, your duetie and obedience to our King and Soueraigne Lord,
 your reuerence and submission to his Lawes and Magistrates, your
 mutuall societic and conuersation with your Neighbours of all de-
 grees, know and keepe your owne from other mens, instruct the igno-
 rant, protect the oppressed, comfort the afflicted, assist the orphan,
 relieue

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relicue the fatherlesse, and be a mean to wipe the trickling teares from the widdowes eyes. And also by the reading of them, you may enrich your vnderstanding, and discern the disposition of the chiefe Governours of this Kingdome in euerie age by it selfe, & by that meanes comprehend in your memory, and record in your brest, an Historie, or perfect description of the affection of our Forefathers that ruled the sterne; and perceiue which of them, and in what cases had that wise and vnderstanding heart that King *Salomon* craued of God, to direct him in gouernment; and how much, and in what manner they were inclined from one generation to another, to the seruice of God, the maintenance of his Church, the aduancement of the honour, profite, or will of their king, the preservation of the peace, and wealth of their Countrie, the safetie and benefit of the subiects of euerie degree, the vpholding of each kind of Science and Trade; and what sort of persons, and which vertues or things in their seuerall times they most esteemed, and endeououred to aduance; and what persons, and which vices or facts they chiefly disliked, and laboured to repress. By which meanes, euerie wight, calling to his counsell such helpes, which hee hath receiued from God, Nature, and Reason, may in the secret closet of his heart, informe and satisfie himselfe, and his owne priuate Conscience, which age, and in what cases in making of their Lawes, did set open the gates to either of those beautifull and sweet countenanced Ladies, *Prudence*, *Iustice*, *Fortitude*, or *Temperance*, and bent their force to support their glorie, countenance, and credite: And whether anie age in anie case did suffer closely and couertly to creepe in at windowes, or slip in at chinkes either of those mishapen and hard fauoured strumpets, Contempt of knowledge, wilfull Injustice, cowardly Puslanimitie, or vnbridled and dissolute Libertie: and which age, and in what cases following the plaine and trodden path of Iustice, made good Lawes to reforme euill manners: and whether anie age in anie case sought by-ways to impeach good manners: and which Statutes were ordained and continued, and which were repealed, altered, or suffered to expire vpon the fonder rules of Christian Religion, Vertue, or Wisedome. And yet, he must foresee, that in no case hee make publication of his said conceit, whatsoeuer it bee, but leaue that to the censure of present authoritie in euerie age by it selfe, so to remaine in suspence, vntill that high and omnipotent Cenfor *Iesus Christ*, the sonne of God, the King of Kings, and Lord of Lords, by whom Kings doe raigne, and Law-makers discern that is iust, shall meet man againe in the vale of Iosaphat, and argue the case with him
face

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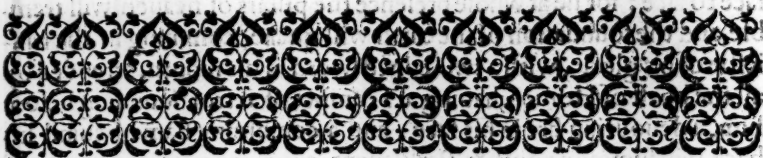
face to face: for he at whose presence the pillars of heaven will tremble, and the foundation of the earth will quake, comming in the Ma-
iestie of his glorie, with a two edged sword in his mouth, attended by
all the hoast of Heauen, hauing a Trumpet of terror sounding before
him, a deuouring fire in his face, and a consuming flame behind his
back, will summon another Parliament, appoint a new Tribunall, and
sit vpon the Rainebow in iudgement himselfe; and laying open all
books of Account, sifting the reines and hearts of men, and searching
Hierusalem with a candle, will most strictly examine the same Sta-
tutes, and euerie Article, Braunch, and Prouiso thereof againe: and
then in the presence of God, of Angels, and men, will pronounce a
most iust and vpright sentence, and irrepeable decree, of the validity
of all Lawes, and of the intention of each Law-maker, and asigne
to them Iudgement in weight, and Iustice in measure; whose

Iudgement no Writ of Error will reuerse, nor

whose verdict any Attaint

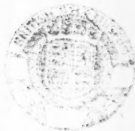
can vndoe.

Vale.



The effect and meaning of the Characters or Markes in this Kalender, or Table comprised.

- RE.** *This Statute, or Branch of Statute was repealed by 1. Edw. 6. 12. or 5. Elizab. 4. Et sic &c. And therefore is not inserted in the Abridgement.*
- EX.** *This Statute, or Branch being made to continue but for certaine yeares, or untill the next Parliament, or Session of Parliament, is expired: Or else the matter or thing for the which it was ordained, is at an end, and expired, as Subsidies, Pardons &c. And therefore it is not inserted in the Abridgement.*
- AL.** *This Statute, or Branch is altered in such a part, or point, viz. in the Preamble, Exception, Penalties, or &c. By 13. Eliz. 25. or 1. Iacob. 4. &c. And therefore is not inserted in the Abridgement.*
- OB.** *This Statute, or Branch is Obsolete, viz. worne out of use. As the Statute touching Calice, Normandie, Abbeyes, &c. And therefore is not inserted in the Abridgement.*
- PR.** *This Statute, or Branch concerneth onely some private person, place, or fact, and not the whole Common weale. And therefore is not inserted in the Abridgement: but the chiefe substance and effect thereof is expressed in the Kalender or Table.*
- AB.** *This Statute, or Branch is either wholly, or in part, in force, and may be put in use and practise: and is inserted in the Abridgement, in such a Title, and such a Branch, as Draperie 6. Labourers 10. &c.*
- Q.** *Inquire whether this be in force, or &c.*
- S.** *See the Title of A. Branch 1. &c.*





A Kalender, or Table comprehending the effect of all the Statutes that haue beene made and put in print, beginning with Magna Charta, ordained Anno 9. H. 3. and proceeding one by one vntill the end of the Session of Parliament holden Anno 7. Regis IACOBI, declaring by certaine Characters, which of the same Statutes or Braunches of Statutes be repealed, which be expired, which be altered in the whole or part, which be worne out of vse, which were ordained for particular persons or places, and which being generall, in force and vse, are inserted in the seuerall titles of this Abridgement.

Magna Charta, otherwise called the great Charter made at Westminster 10. die Februarij, Anno 9. H. 3. & Anno Domin. 1224. and confirmed at Westminster, 28. die Martij, Anno 28. Ed. 1. & Anno Dom. 1299.

The King granteth to God, and for him and his heirs confirmeth, Liberties of the Church, That the Church of England shall be free, & haue all their rights and liberties inuolable: And that all free men of this Realme shall haue all these liberties hereafter mentioned, to them and their heirs for ever.

2 The Reliefe of the heire of an Earle, Baron, and Knight, holding land Reliefe of the King. AB. Reliefe 1.

3 At what age an heire being in ward shall haue his inheritance: and when a ward made Knight. AB. Wards 3.

6. Ed. 1. 5. 4 Gardeins shall make no wast in Wards lands. The penaltie of the wast by committe, or assigne of a Wards lands, which committeth wast. AB. Wards 10. 21. 22.

14. Ed. 1. 4. 5 5 Gardeins shall maintaine the inheritance of their Wards, (AB. Wards Gardein. 10.) And of Archbishopricks, Bishopricks, Churches, and Dignities vacant, which pertaineth to the King. But such custodies shall not be sold.

20. H. 3. 6. 6 Heires shall be married without disparagement. AB. Wards 15. Disparagement.

20. H. 3. 1. 17. Ed. 1. 5. 7 A widow shall haue her marriage, inheritance, and quarentine: but shall not marie without her Lords assent. AB. Dower 1. Prerogative 4. Widows.

8 Sureties shall not be charged with the Kings debt, so long as the principal hath sufficient. And the sureties being charged, shall haue the debtors lands. Sureties to the King. AB. Accomprans &c. 51.

9 The City of London, and all other Cities, Boroughs, Townes, and Cities Ports, and the free Ports, shall haue all their liberties and free customes. H. Liberties.

10 None shall be distrained to do more service for a Knights fee, or his free hold, than is due. AB. Freehold 1. Service.

King Henrie the third.

Comon pleas	11 Common pleas shall not follow the kings Court, but bee holden in a place certaine. AB. Courts 5.	28.E.1.4.
Assises.	12 Assises shall be taken but in their counties, and difficult causes ended before the Justices of the Bench. AB. Assise 22.	13.Ed.1.30
Darr. present.	13 Assises of Darrein presentment shall be taken, and determined before the Justices of the Bench. AB. Assise 12.	13.Ed.1.30
Amerciants.	14 How men of all sorts shall be amerced, and by whom. AB. Amerciaments 1.&c.	3.Ed.1.6.
Bridges.	15 16 By whom bridges and bankes shall be made. AB. Weares 1.	
Deas of the Crowne.	17 So Sherife, Constable, Escheator, Coroner, or other Bailiff, shall hold pleas of the Crowne. AB. Coroners 16.	
R. debt.	18 The Kings debtoz dying, the king shall first be pated his whole debt. AB. Accomptants &c. 5.	33.H.3.39.
Purueyance.	19 How purueyance shall be made to victuall a castle. AB. Purueyors 6.	3.Ed.1.7.
Castle ward.	20 How Castle ward shall be done. AB. Castles 1.	
Purueyors.	21 Purueyors shall not take any hoxles or carts, except they pay the price limited. So demesne cart of any spirituall person, knight, or other lord, shall be taken. And shall not be taken without the owners consent. AB. Purueyors 8.13	14.Ed.3.19.
Felons lands.	22 The king shall have the lands of a felon convicted for a yeare and a day, and then deliver them to the lord of the fee. AB. Prerogatiue 16.	17.Ed.3.16.
Weares.	23 Weares shall bee put downe, saving onely by the Sea coasts. AB. Weares 1.	25.Ed.3.4. 45.Ed.3.2.
Precipe.	24 So Precipe in Capite shall be granted, whereby any shall lose his Court. AB. Courts 6.	
Measure.	25 One measure of wine and cozne shall bee throught the Realme. AB. Weights 1.	14.Ed.3.17 27.Ed.3.10.
Inquisition of land.	26 Nothing shall be taken of him that prayeth Inquisition of life or member. AB. Amerciaments &c.	13.Ed.1.29
Tenures.	27 Tenure of the king by fee farme, Socage, or Burgage, and of another by knights service. Tenure of the King by petit Serieantie. AB. Wards 18	
wager of law	28 There shall be no wager of law without witnesses. AB. Wager 1.	
Justice.	29 So man shall be condemned but by lawfull triall. Justice shall not bee sold, deferred, nor denied to any man. AB. Iustice 1. Accusation 1.	2.Ed.3.8. 5.Ed.3.9. 9.Ed.3.1. 25.Ed.3.2.
Merchants.	30 Merchants shall have safe conducts, and how Merchants enemies shall be used. AB. Merchants 1.	
Tenure.	31 Tenure of a Baronie come to the kings hands by Escheat, shall be as if it were in the hands of the Baron. AB. Tenure 1.	1.Ed.3.13. 1.Ed.6.46
Service.	32 None shall give or sell more of his land, but that the residue may satisfie the lord of the fee his service due, which belongeth to that fee. AL. Westm. 3. 18.Ed.1.	
Vacation of Abbies.	33 Patrons of Abbies which have the Adunowsons of them, shall have the custodie of them in time of vacation. CB.	
Appeale by a woman.	34 A woman shall not sue an Appeale of the death of any, but of her husband. AB. Appeales 4.	
Sherifes Courts.	35 At what time the Countie Court, Sherifes Turne, and view of frankpledge shall be kept. AB. Turne 1. Countie 1.	31.Ed.3.15.
Mortmaine.	36 A gift of land to a house of religion shall be void. AB. Mortmaine 1.	7.Ed.1.
Escuage.	37 Escuage shall be taken as hath been accustomed. All mens liberties and free customes shall be reserved. A fifteene given to the king for these liberties, and the liberties of the Forzell. If the king or his heires shall doe any thing to infringe these liberties, the same shall be void.	15.R.2.5.

Char-



Charta Forestæ made at Westminster. 10. die Februarij

Anno 9. H. 3. & Anno Domini 1224. and confirmed anno 28.

Ed. 1. & Anno Domini 1299.

¶ 1 Those grounds that King Henrie the second aforesaid, which were not his owne demesnes, whereby the sutor of the wood hath hurt, shall be disaforesaid, saving the common to those which have right.

Disaforesaid

¶ 2 They that dwell out of the forest, are not bound to the summons thereof, unless they be impleaded, or foretied. AB. Forests 1.

Foretied.

¶ 3 Woods made forest by King Richard the first, or King John, being not the Kings demesne wood, shall be disaforesaid.

Disaforesaid

¶ 4 No Purpresture, wast, or Avert, shall be made in forests, without the licence. AB. Woods 24.

Purpresture.

¶ 5 Raungers shall make their raunge in the forest, as hath been accustomed. AB. Forests 6.

Raunge.

¶ 6 There shall be lawing of dogs in forests, in places accustomed. AB. Forests 6.

Lawing of dogs.

¶ 7 No Foster or Beadle shall make Scotall, or gather Garbe of Dates, Lambe, or Wigge, nor any gathering, but by the sight, and vpon the oath of ry. Raungers, when they shall make their raunge.

Gatherings.

¶ 8 At what times of the yeare Swanimotes shall be kept, and who shall re- paire unto them. AB. Forests 2.

Swanimotes

¶ 9 A free man may take agistment and pawning, and dyne his swine in the forest. AB. Woods 23.

Agistment.

¶ 10 The punishment for killing of the Kings Dære. AB. Forests 1.

Killing of

¶ 11 A Nobleman may kill a Dære in the Kings forest. AB. Foresters 5.

Dære.

¶ 12 13 How any free man may vse his land within the forest. And what things breeding in his woods there, he may take. AB. Woods 24.

Nobleman

¶ 14 No Foster which is not Foster in fee, paying to the King ferme for his Bailiwiki, shall take any Chimage or Toll within his Bailiwiki. But a Foster in fee paying the Kings rent for his Bailiwiki, shall take Chimage, viz. for carriage by cart a halfe yeare y. 6. and the other halfe yeare y. 6. And for a horse that beareth burden, for halfe a yeare ob. and for the other halfe yeare ob. And but of those onely which come as Merchants through his Bailiwiki by his licence to buy bushes, timber, barke, or cole, and to sell it againe where they will. But for none other carriage by cart, Chimage, or Toll shall be taken. And Chimage shall be taken but in such places as it hath beene used to be, and ought to be. They which carrie vpon their backs wood, barke, or coale, to sell, though they line thereby, shall pay no Chimage to the Kings Fosters; but in his owne demesne woods.

Chimage.

¶ 15 A Pardon of all Outlawes of Trespasse within the forest, thence the raigne of K. Henrie the second, so that they find suretie to offend no more. EP.

Pardon.

¶ 16 No Constable, Cassellein, or Bailife, shall hold pleas of the forest, either of bert, or venison: But every Forester of fee shall attach the pleas of the forest, as well of bert as of venison, and shall present them to the Werdors of those parts: and when they be enrolled and included vnder the Seales of the Werdors, they shall be presented to the chiefe Justices of the forest, when they shall come into those parts to hold the pleas of the forest, & determined before them. AB. Forests 2.

Pleas of the forest.

1. H. 7.

1. Ed. 3. 8.
7. R. 2. 4.

King Henrie the third.

The Statute of Ireland made at Westminster 9. die Februarij, An. 14. H. 3. & An. Dom. 1229.

Coparceners. ¶ 1 If lands holden of the king in chiefe, or of any other Lord by knights service, shall descend to Coparceners within age, then everie of them shall be in ward, and shall have part of the lands so holden. AB. Partition 1. 17. Ed. 1. 6.

Statutes made at Merton 23. die Januarij, Anno 20. H. 3. & Anno Dom. 1235

Dower. ¶ 1 A widow shall recover her Dower, or Quarentine, and damages of those lands whereof her husband died seised. AB. Dower 1. 9. H. 3. 7.

Widowes crop. 2 Widowes may bequeath the crop of their dowers and other lands. AB. Wiles 20.

Redisseisin. 3 Who may bring a writ of Redisseisin, in what case it lyeth, and the punishment of the offender therein. AB. Redisseisin 1. & c. 52. H. 3. 3. 13. Ed. 1. 26

Approuement 4 Lords of Manns, Woods, and Pastures, may approue against their tenants. AB. Approuements 1. 13. Ed. 1. 46. 3. Ed. 6. 3.

Urie. 5 Urie shall not run against any within age, from the time of the death of his ancestor. EP. 37. H. 8. 9.

Wards. 6 The penalties for taking away, or marrying an heire vnder the age of fourtene yeares. A ward marrying without consent of her gardeine. Disparagement of Wards. AB. Wards 6. 15. 13. Ed. 1. 35. 3. Ed. 1. 22. 9. H. 3. 6.

Wote of marriage. 7 The recompence to be made by the ward, refusing to marie by his Lords assignement. AB. Wards 7.

Prescription 8 Severall limitations of prescription in severall writs. AL. 32. H. 8. 2. 3. Ed. 1. 38.

Ballardie. 9 He is not allowed to be legitimat that is borne before marriage. AB. Ballardie 2.

Attorney. 10 Attorneys allowed to make suit of Court. AB. Attorney 1.

Prizmat revenge. 11 The Lords demanded the imprisonment of those that made trespasses in their parkes and ponds, which the king denied. EP.

The Statute de Anno Bissextili, made at Westminster An. 21. H. 3. & An. Dom. 1236.

Leape yeare. ¶ 1 The day of the Leape yeare, and the day next before, shall be holden for one day. AB. Daies & c. 7.

Bread, Ale. ¶ 1 The Statute intituled Assa panis & Cernicia, made An. 51. H. 3. asseth the prices of Bread & Ale, according to the prices of cozne. AB. Weights & c. 15.

Dapes in Banke. ¶ 1 The Statute made An. 51. H. 3. & An. Dom. 1266. concerning generall daies in Banke in reall actions. AB. Daies & c. 3.

Dapes &c. ¶ 1 The Statute made An. 51. H. 3. & An. Dom. 1266. of generall dapes in a writ of Dower. AB. Daies & c. 4.

Statut. de Districione Scaccarij, made Anno 51. H. 3. & Anno Domini 1266.

Distresse. ¶ 1 How a Distresse taken for the kings debt shall be used: within what time it shall be sold, by what meanes it may be redeemed, and what kind of distresse it shall be. AB. Accomptans & c. 52. Distresse 8. 10. 11. 12. 28. Ed. 1. 13.

Statut.

Statut. de Scaccario, made Anno 51. H. 3. &

Anno Domini 1266.

¶ 1 The Kings fermers, Sherifes, and Bailifes, shal make their accounts and payments in the Exchequer, the moztow after S. Michael, and the moztow after the claufe of Patche. And so shall the Justices of Chester, & their Bailifes. The Sherifes shall keepe the Kings Wards and Escheates. Collectors of customes, and Garbelnes of the Kings Wardrobe, shall account yearly. The Sherife of Cumberland shall execute the office of Escheator in Westmerland and Lancaster. The Sherife of Potttingham in Rutland. The Sherife of Gloucester in Worcester. And the Sherife of Devonshire in Cornewall. Questions touching the Kings debts, shall be heard befoze other mens suits. Officers in the Exchequer shall be of credit and sufficiencie. Thre Surveyors shall be appointed of the Kings Wards and Escheats, and their duetis. Collectors of the customes of Wools account and payment. The Escheates of Fines and Amerciaments shall be deliuered into the Exchequer. Quere how much thereof is in vse.

¶ 1 A Statute of the Willozie and Tumbzell, and of the assise of Bread & Pillozie. Ale, made Anno 51. H. 3. & Anno Dom. 1266. AB. Weights &c. 15.

Statutes made at Marleborough 18: die Nouembris,

Anno 52. H. 3. & Anno Dom. 1267.

1. & 2. P. & M. 12. ¶ 1. 2. 3. 4. Which distresses be lawfully taken, and for what causes, Distresse. and which not, and how distresses are to be used. AB. Distresses 1. 3. 4. 5. 6. 7.
34. H. 8. 5. ¶ 5 A confirmation of the great Charter, and the Charter of the Forest. Frauds. 6 A fraudulent conueyance to defeat a Lord of his Wardship, shall be void. AB. Wards 1. 2.
- 13 Ed. 1. 26 20. H. 3. 5. ¶ 7 Prozesse against the Deforcior, which doth not appeare in a Communi wards. custodia. Ward by reason of Ward. AB. Wards 2.
- 13 Ed. 1. 26 20. H. 3. 5. ¶ 8 The punishment of those which commit Redisseisin. AB. Redissei- Redisseisin. sin 3.
- ¶ 9 In what cases tenants shall be bound to do suit to their Lords court. And Suit of court. in what manner Coparceners shall doe their suit. AB. Suit of Court 1. 2.
- ¶ 10 Certaine persons shall be exempt from apparance at Sherifes Turnes. Turnes. AB. Turnes 2.
3. Ed. 1. 8. 1. & 4. 3. 8. ¶ 11 Neither in the Cite of the Justices, nor in the Countie, Hundred, nor Beaupleader. in Court Baron, any fines shall be taken for Beaupleader. EP.
32. H. 8. 21. ¶ 12 Dayes giuen in Dowry, Assise of Darrein presentment, & Quare impe- Dayes. dit. AB. Dayes 4. Quare impedit 1.
- ¶ 13 After issue ioynd there shall be but one Essoine, or one default. AB. Es. Essoine. soine 4.
- ¶ 14 They which haue Charters of Exemption must yet in some cases be Exemption. twome. AB. Iurors 2.
- 3 Ed. 1. 16. ¶ 15 In what places distresses shall not be taken. AB. Distresses 3. Distresse.
- 17 Ed. 2. 3. ¶ 16 A remedie for the heyre, if his Lord both keepe, or put him or th of his inheritance. AB. Wards 9. The King shall haue Primer seisin. Primer seisin. after the death of his tenant, of lands holden of him in chiefe. AB. Pre- rogatiue 3.

King Edward the first.

- G. in Socage** 17 The authoritie and dutie of Gardians in Socage. AB. Wards 11.
- Amerciament** 18 Which officers have authoritie to amerce by default of common summons, and which not. AB. Amerciaments &c. 4.
- Essoine.** 19 In which Courts none shall need to sweare to warrant their essoines. AB. Essoines 1.
- False iudgement.** 20 None but the King shall hold plea of false iudgement. False Iudgement 1.
- Repleuin.** 21 Who shall make Repleuin of distresses that be taken and withhelden. AB. Repleuin 1.
- Freehold.** 22 None shall compell his freeholder to answer for his freehold, or to be deposed. AB. Freehold 1. 15.R.2.12, 16.R.2.2.
- Accomptants wast.** 23 A remedie against accomptants which withhold themselves. AB. Accompt 1. Fermoys during their terme, that make noe wast. AB. Wast 1. 6.Ed.1.5.
- Townes amerced.** 24 Justices in Eyre shall not amerce Towneships in their Circuits, for that al of twelve yeares of age come not befoze the Sherife and Coroners to make enquire of Robberties, burning of houses, or to doe other things pertaining to the Crowne, so that there came sufficient out of those Townes, by whom such Inquisitions may sufficiently be made, except it bee an Inquisition bee made of the death of a man, whereat all of twelve yeares of age ought to appeare, unlesse they have a reasonable cause of their absence. AB. Coroners 17.
- Murder.** 26 What kind of Manslaughter shall bee adiudged Murder. AB. Murder 6.
- Voucher.** 26 What day shall bee given to him that is vouched to Warrantie. AB. Voucher 7.
- Clerke bailed** 27 If a Clerke for any offence touching the Crowne be arrested, and after let to baile, and they to whom he was committed to baile bying him befoze the Justices, the sureties shall be amerced, although he cannot, or will not answer in respect of his Clerkes privilege. AL. 28. H.8.1.3 2.H.8.3.
- Bishops.** 28 Remedies for the successors of Bishops, for wrongs done in the times of their predecessors, or in the vacation. AB. Ecclesiasticall &c. 45.
- Entry in the Post.** 29 In what case a writ of Entry sur disseisin in the Post doth lie. AB. Entry 2.

The Statute of Westminster the first, Made at Westminster 25. die Aprilis, Anno 3. Edwardi 1. & Anno Dom. 1275.

- Religious houses.** 1 The peace of holy Church and the Realme shall be maintained. Religious houses shall not be charged with reiozt, nor their goods taken without consent of their Gouerners. EP.
- Clergie.** 2 A clerke convict of felonie, and deliuered to the Ordinarie, shall not depart without due purgation. AL. 18.E.12.6.
- Escape.** 3 The penaltie for leuying money for the escape of a felon befoze it be adiudged. R. Escape 2.
- Wrecker.** 4 What shall be adiudged a Wrecker of the Sea, and what not. AB. Wrecker.
- Election.** 5 There shall be no disturbance of free Elections. AB. Corporations 29. 9.Ed.1.14 6 All

- 9.H.3.14. 6 All Amerciaments shall be reasonable, and according to the offence. AB. Amerciament
Amerciament 1.
- 9.H.3.19. 7 In what manner, and of whom Purueyance shall be made for a Castle. Purueyance.
AB. Purueyors 6.
- 52.H.3.11. 8 Nothing shall be taken for Beaupleader. BF. 1. Ed. 3. 8. Beaupleader
9 All men, upon commandement, shall be ready to pursue and apprehend felons.
felons: and the penaltie of those which doe not. AB. Felonie 1.
- 1.H.8.7. 10 What sort of men shall be Coroners. The Sherife shall haue Counter, Coroners,
28.Ed.3.6. rolles with them. They shall take nothing to execute their office. AB. Coro-
ners 1. 15. 16.
- 11 Repleuie of men by the writ of Odio & Atia. An Enquest to trie him Trial of
which is indicted of murder, shall be of lawfull men tried by the oathes of 12. murder.
men (of whom two at the least shall be knights) of noe affinity with the priso-
ner, nor otherwise suspected. CB.
- 12 The punishment of notorious felons refusing lawfull triall. AB. Felon- felons.
nic 3.
- 13 He that doth rauish or take away by force any woman against her will, Rape,
shall be two yeares imprisoned, and make fine at the Kings pleasure. AL. 13. E.
1.34.
- 14 How an Appeale shall be attached and prosecuted against the principall Appcales,
and how against the accessorie. AB. Appcales 3.
- 15 Which prisoners bee mainpernable, and which not. AB. Mainprife Mainprife
1.2.3.
- 52.H.3.4. 16 None shall distraine out of his se, nor drie the distresse out of the same Distresse.
1. & 2. P. & Countie. AB. Distresse 1.3.
M. 12.
- 52.H.3.3. 17 The remedie if a distresse be impounded in a Castle or Forstresse. AB. Di- Distresse.
stresse 4.
- 18 Knights and other honest men of the Countie shall assesse common fines Common
and amerciaments forfeited by the whole Countie before Justices in Cite by fines.
on all such as ought to pay: and the Justices shall cause the parcels to be put in
the Cstreets, which shall be deliuered into the Erchequer, and not the whole
summe. CB.
- 19 A Sherife hauing receiued the Kings debt, shall discharge the debto. Kings debts.
AB. Accounts &c. 52.
- 1.H.7.7. 20 The punishment of those which commit trespasses in parks and ponds. Parks.
AB. Forests 3. Taking of tame beasts by manner of robberie, is felonie. AB.
Tame beasts 2.
- 9.H.3.4. 21 Gardeines shall make no Waste in the Lands of their Wards. AB. Waste.
6.Ed.1.5. Wards 10.
- 20.H.3.6. 22 The severall penalties if an heyre of full age or within age doe ma- Wards.
rie without his Gardeines consent. At what age an Heyre female shall bee
out of ward: And the penaltie if shee refuse a mariage tendered. AB. Wards 6.
7. 12. 13.
- 23 In a Cite, Borough, Towne, Market, or Fayre, noe Forreiner Debt-
shall be distrayned for a debt that hee doth not owe, or is not suretie for. AB.
Debt 1.
- 24 Assise maintainable against any of the Kings officers, who shall disseis a free-
another of his freehold. AB. Assise 4.
- 33.Ed.1. 25 None shall commit Champertie, to haue part of the thing in question. Champertie.
AB. Maintenance 5.
- 26 No officer of the Kings shal take any thing to doe his office, but of the Extortion,
King. AB. Extortion 1.

King Edward the first.

- Extortion.** 27 So Justice, Escheator, or Commissioner in Cires clerke, shall take any thing, but the accustomed fees, upon paine to loose thrice so much, and his masters service for one yeare. CB.
- Maintenance** 28 The penaltie if any Clerke of the Kings, any Justices, or Sherifes, doe maintaine any suit. AB. Maintenance 2.
- Pleaders.** 29 The penaltie if a Serieant or pleader doe commit any deceit. AB. Deceite 1. **Extortion.** 2. Or if any Officer of any Justice doe commit extortion. AB. Extortion 2.
- Toll.** 30 The penaltie for taking of excessive toll in a Cittie or Market Towne. **Parage.** AB. Tol 1. Parage granted to Cities or Townes, to inclose their Townes, used otherwise than it was granted, shall be void. EP.
- Purueyours.** 31 The penaltie of Purueyours, not paying for that they take: or for receiving rewards to pay the Kings debts: or for taking more horses or carts than needfull: or for discharging men for rewards. AB. Purueyours 7. 13. 20. R. 2. 5. 28. H. 6. 1.
- Barretours** 32 So Sherife shall suffer Barretours or maintainers of quarels in their Counties: nor any Pobleman Steward to doe suit or giue iudgment there (vnlesse he be Attorney for his Lord) if he be not specially required of all the Intours, or Attorney for them.
- Netes.** 33 None shall tell netes or tales, whereby discorde may arise betweene the King and his people, or the Pobles. AB. Newes 1. 2. R. 2. 5. 12. R. 2. 11.
- Arrests.** 34 The penaltie for arresting within a libertie those that hold not of them. AB. Arrests 2.
- Aid.** 35 How much shall be taken for aid to make the sonne knight, or to marie the daughter. AB. Aid 1. 25. Ed. 3. 11
- Disseisor.** 36 The penaltie of a man attainted in Assise of disseisin with robberie of goods in the time of King Ed. the first. EP.
- Attaint.** 37 Attaint shall be granted in plea of land touching frehold. AB. Attaint 12.
- Prescription.** 38 Generall limitacions of prescription in seuerall writs. AL. 22. H. 8. 2. 34. Ed. 3. 7.
- Voucher.** 39 Voucher to warrantie, and Counter pleader of Voucher. AB. Voucher 2. 3. 4. 20. H. 3. 8. 20. Ed. 1.
- Writ of Right.** 40 The Champion of the demaundant in a writ of Right shall not be compelled to sweare, that he or his father did see the seisin of his Lord, or his aunce: nor: and that his father commanded him to bereigne the Right. CB.
- Essoine.** 41 In Assise, Attaint, or Iuris vtrum, the tenant after appearance shall not be essoined. AB. Essoines 3. 13. Ed. 1. 12.
- Fourcher.** 42 There shall be no moze Fourcher by essoine. AB. Essoine 2. 6. Ed. 1. 10.
- Essoine.** 43 In what case essoine vltra mare shall not be allowed. Essoine 5.
- Proces.** 44 In all writs after Attachment and default, the great distresse shall be awarded. The kings Justices shall deliuer the issues forfeited into the Wardrobe: The J. of the common place into the Exchequer, and the J. in Cire to the Sherife of the Countie where they plead, or of another Countie. Q. for the vse.
- K. Bench.** 45 Justices of the K. Bench shall decide all pleas deferminable one day, before any plea be commenced the day following. CB.
- Donage.** 46 Donage of the heire of the disseisor, or disseise, shall not preiudice in an Assise. Where Attaint shall bee maintainable by an heire within age. AB. Age 1.
- Ward.** 47 The remedie where the gardein maketh a feoffment of his Wardes land. Suit by Prochein amy. AB. Wards 8.
- Dower.** 48 What shall be the tenants onely plea in a writ of dower vnde nihil habet. AB. Dower 7. At what time Assises of Mortdauncester, Nouel disseisin, and Darrein presentment shall be taken. AB. Assise 12.

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Extenta Manerij, Anno 4. Ed. 1. &

Anno Dom. 1276.

¶ 1 A Statute touching the exten^t of a Manor, exp^{re}ssing a survey of the buildings, gardens, curtilages, dove-houses, demesne lands, commons, parks woods, p^{ar}sonage, herbage, rivers, mo^{or}es, heaths, wa^lls, mills, fish-ponds, freeholds, customarie tenants, cottages, perquisites of Courts, patronages of Churches, heriots, faires, markets, elcheats, customes, services, fines, reliefs, & other casualties of a Manor, and what enery of them is worth by the yeare.

Survey of a Manor.

¶ 1 A Statute touching the office of a Coroner, made An 3. 02 4. Ed. 1. & Coroners. An Dom 1267. AB. Coroners 2. &c.

The Statute of Bigamy made Anno 4. Ed. 1.

Anno Dom. 1276.

¶ 1 2 In what cases aid shall be graunted of the King, and in what not. Side: AB. Aid &c. 1.

3 In dow^{er} the kings grantee of a ward shall not haue aid. AB. Aid 2. Side:

4 Purpessures or usurpations upon the Kings land shall be relesed. AB. Intrusion: Prerogative 13.

5 Bigamus shall not be allowed his clergy. EP. 1. Ed. 6. 12.

6 Where by a feoffment made of land, and by what words therein, the feoffor shall be bound to warrantie, and where not. AB. Warrantie 1. Bigamus: Warrantie.

Statutes made at Gloucester 4. Octobris, Anno

6. Ed. 1. & Anno Dom. 1278.

¶ 1 The alienee of a disseisor shall be charged with damages. In what actions damages shall be recovered. Where damages shall be recovered, there also shall costs. AB. Damages 11. 12. 13. 14. Damages:

2 Where nonage in a suit commenced by an infant for land, shall not stay an enquest. AB. Age 2. Nonage.

31. H. 8. 28. 3 A man alieneth the land which he holdeth by the Courtlesse of England with warrantie. AB. Warrantie 2. Warrantie.

13. Ed. 1. 21. 4 In what case a Cessauir is maintainable against a tenant in fee ferme. AB. Cessauir. Cessauir.

13. Ed. 14. 5 An action of Waste shall be maintainable against tenant by the Courtlesse for life, yeares, or gardein. AB. Waste 2. Wards 10. Waste.

52. H. 3. 23. 6 Where diuers heires shall haue one A^lise of Mor^{ti}dauncester. AB. Mor^{ti}dauncester. Mor^{ti}dauncester.

11. H. 7. 20. 7 A remedie for him in reuer^{si}on, where a woman doth alien her dow^{er}. AB. Women 1. In casu p^{ro}u^{is}o.

8 None shall haue an action of Trespasse befoze the K. Justices, except hee sweare that the goods taken away were worth xl. s. at the least: and if it bee of batterie, that his pleint is true. CB. The defendants may make Attorneys in such suits where appeale lieth not. AB. Attorneys 6. The penaltie if the defendant being essoined doth not bring in his warrant. AB. Esoine 7. Trespass &c.

2. Ed. 3. 2. 4. Ed. 3. 13. 9 Pardon may be granted where one killeth another in his owne defence, or by misfortune. AB. Pardon 1. The forme of an Appeale of murder. AB. Ap^{pe}ale 2. Pardon.

3. Ed. 1. 42. 10 The husband and wife being impleaded, shall not fouch by Esoine. AB. Esoine 2. Fouch.

21. H. 8. 15. 11 A fained reconerie against him in the reuer^{si}on to make the terme to loose his terme, shall be void. AB. Reconeries 8. Fained reconerie.

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Voucher. 12 One impleaded in London voucheth a foraine to warrantie. AB. Voucher 6.

Wast. 13 No wast or Estrepiement shall be made depending any suit. AB. Wast 2.

Damages in London. 14 A citizen of London being disseised, shall recover damages by the same Assise, wherby he recovered his freehold: and the disseisors shalbe amerced before two Barons of the Exchequer, that once in the yeare shall come for that purpose into the citie, which shalbe leued by the Treasurer and Barons of the Exchequer. CB.

Wise of wine. 15 The Mayor and Bailiffs of London shall enquire of wines sold contrary to the assise, and present the offenders before the same Barons. CB.

¶ 1 An exposition of the said Stat. of Gloucester made also the same Anⁿ 6. Ed. 1. viz. of the 1. 2. 3. 4. 5. and 7. chapters thereof. The same Statute shall be expounded to redress the enormities in those chapters mentioned, which should be committed after the said Statute published. S. cap. 1. & Quere.

No Armoz. ¶ 1 Anⁿ 7. Ed. 1. viz. 30. die Octobris, Anⁿ Domⁱ 1270. It was ordained, that to all Parliaments, Treatises, and other Assemblies, every man shall come peaceably without any force or armour. 2. Ed. 3. 3.
7. R. 2. 13.
20. R. 2. 1.

Mortmaine. ¶ 1 Anⁿ 7. Ed. 1. viz. 14. die Nouembris, Anⁿ Domⁱ 1279. A Statute was made limiting who shall take the forfeiture of lands given in Mortmaine. AB. Mortmaine 1. 2. 9. H. 3. 36.
15. R. 2. 5.

Voucher forreines. ¶ 1 A Statute made Anⁿ 9. Ed. 1. viz. 2. die Maij, Anⁿ Domⁱ 1281. A correction of the 12. Chapter of the Statute of Gloucester, touching calling forreines to warrantie in London. AB. Voucher 6. 6. Ed. 1. 12.

A new Statute of the Exchequer, called the Statute of Rutland, made anno 10. Ed. 1. viz. 14. die Augⁱ, An. Dom. 1282.

Kings debts. ¶ 1 There shalbe certaine persons assigned which shall be sent into every Countie to inquire of such debts as be owing to the King by Sherifes or their heires, and others. The bodies of Shires shall be written in an annuall Roll in the Exchequer, and yearly read to the Sherifes upon their accounts, wherein shall be written the termes of Sherifes, and other termes, and all debts determined, and grosse debts, whereof there is hope of payment, and whereof the Sherife is answerable. And of dead termes, and debts desperat a Roll shall be made. An order for them which haue Tailles of the Exchequer, for the debts of themselves or ther auncelors, to be deliuered to the Sherife, and then to be allowed in the Exchequer. No plea shall be holden or pleaded in the Exchequer, vnlesse it concerne the King or his officers there. Q. for the vse.

Statute Merchant. ¶ 1 The Statute of Acton Burnell, made Anⁿ 13. Ed. 1. & Anno Domini. 13. Ed. 1. 1285. ordaining the Statute Merchant for recouerie of debts. AB. Statutes &c. 1. 13. Ed. 1.

The Statute of Westminster. 2. made Anno 13. Ed. 1. & Anno Dom. 1285.

Gifts in taile. ¶ 1 In gifts in taile the donors Will shall bee observed. AB. Taile. The forme of a Formedon in discender. A fine leued by tenant in taile shalbe void. AL. 32. H. 8. 36.

2 A Recordare graunted to remove a plaint forth of the Countie Court. Pledges to prosecute the suit, and to make returne. A second deliuerance awarded. AB. Repleuin 2. 3. Second deliuerance 1.

¶ Cui

- 3 A Cui in vita for the wife, where her deceased husband lost her land by default. AB. Women 5. Upon an action brought the wife shall be received upon her husband's default, and so shall be in the reversion upon the particular tenants default. AB. Resciet 1. 2. Cui in vita. Resciet. Dower.
- 4 A woman shall be endowable of lands recovered against her husband by collusion, or default. And the heir may avoid a dower recovered by collusion. AB. Dower 8. 9. A remedie for particular tenants which loose their land by default. AB. Quod ei de forceat 1. D. et de force. Aduosions.
- 5 Remedies to redress the usurpations of Aduosions of Churches AB. Aduosions 1. &c.
- 6 The penalty, if a tenant impleaded of land boucheth, and the bouchee denieth the warranty. AB. Voucher 1. Voucher.
- 7 Admeasurement of dower for the gardein, and the heir: And the process therein. AB. Admeasurement 1. Admeasurement of dower.
- 8 In what case the writ of Secunda superoneratio pasturæ, shall be awarded by the Justices, and in what out of the Chancery. AB. Admeasurement 2. Second surcharge.
- 9 In what case the writ of Mesne is to be pursued. AB. Mesne 1. Mesne.
- 10 At what times writs shall be deliuered for such suits as depend in trial before the Justices in Cire. CB. Any person may make a generall Attorney. AB. Atturney 2. Atturney.
- 11 The Masters remedie against their Seruants, Bailiffs, and Receiuers Accountable. AB. Account 2. Escape 1. Account.
- 12 The Appallee being acquitted, the Appealant and Abbettozs shall be punished. AB. Appeals 5. There shall be no Escoine for the Appealant. AB. Escoine 8. Appeals.
- 13 The order of Indictments taken in Sherifes Turnes, and the penaltie for the infringing thereof. AB. Sherife 1. 2. Sherifes.
- 14 The Process in an action of Waste: And a writ to inquire of waste. AB. Waste 3. Waste.
- 15 An infant elaigned may sue by Prochein amy. AB. Age. 3. Infant.
- 16 Priuie of feoffment giueth title of Wardship. AB. Wards 1. 4. Wardship.
- 17 In what case Escoine demalo lecti doth lye, and where not. AB. Escoine 6. Escoine.
- 18 He that recouereth in debt, may sue execution by Fieri facias, or Elegit. AB. Execution 1. Execution.
- 19 The Ordinarie chargeable to pay debts, as executors. AB. Ordinarie 1. Ordinarie.
- 20 The tenants answere in writs of Cousenage, Aile, or Besaile. AB. Cousenage 1. &c. Cousenage.
- 21 Cessauit by the chiefe Lord against his free-hold tenant. AB. Cessa. Cessauit, uit 2.
- 22 In what case an action of Waste may be brought by one tenant in common against another. AB. Waste 5. Waste.
- 23 Executors shall haue a writ of Account. AB. Executors 1. Executors.
- 24 A writ of Nulance of a house, wall, or market leuied, and aliened to another. AB. Nulance 1. By what writ a Parson of a Church or his successor may recover his common. And where the Iuris Verum is triable. AB. Quod permittat 1. In the like cases the like writs be grantable. Nulance.
- 25 Of what thing an Assise of Nouel disseisin will lye, and against whom it is maintainable. A disseisor by pleading a false plea. Certificat of Assise. At. Certificat.
- 26 Who shall bring a writ of Redisseisin. And the punishment of the offender. Redisseisin.

20. Ed. 1.

1. H. 3. 23.

1. Ed. 3. 17.

1. Ed. 4. 2.

6. Ed. 1. 5.

1. Ed. 3. 17.

1. Ed. 4. 2.

6. Ed. 1. 5.

6. Ed. 1. 4.

20. H. 3. 3.

32. H. 3. 8.

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- offendozs therein. AB. Redisseisin 1. 3.
- Essoine.** 27 Essoine after Enquest: But none after day giuen Prece partium. AB. Essoine 4.
- Essoine.** 28 After apparance in certaine actions there shall be no Essoine. AB. Essoine 3. Ed. 1. 4. 1.
- 29 The writ of Trespas ad audiendum & terminandum shal not be graunted but to the Justices of either Bench, or to the Justices in Chire. And a writ to determine Appeales, shal be granted but in speciall cases. And least the parties appealed or indicted be long kept in prison, they shall haue a writ of Odio & Actia. CB. 9. H. 3. 26.
- Odio & Actia.**
- 30 The authoritie of Justices of Nisi prius. Assises of Darreine presentment, and Quare Impedit shal be determined in their proper Counties. AB. Nisi prius 1. A iurie may giue their verdict at large. None shal be put in Assises or Juries, but which were summoned. AB. Iurors 2. 1. 3. 2.
- J. of Nisi prius.**
- Juries.**
- 31 An exception to a plea sealed by the Justices. AB. Exception 1.
- Exception.**
- 32 Mortmaine by reuerie of land by default. AB. Mortmaine 5.
- Mortmaine.**
- 33 Lands where crosses be set by tenants in preiudice of their Lordes, shal be forfeited as lands aliened in Mortmaine. CB.
- Crosses.**
- 43 The penaltie, if a man do rauish a woman, whether she doth consent or not. AB. Rape 1. And the forfeiture if a woman do elope with an aduolterer. AB. Dower 2. He that carrieth away a sun from her house, although she consent, shal be thre yeres imprisoned, make satisfaction to the house, and fine to the king at his pleasure. CB. 6. R. 2. 6. 3. Ed. 1. 13.
- Rape.**
- Elopement.**
- A sunne.**
- 15 Rauishment of Ward: Communi Custodia: Eiectione Custodiz. AB. 20. H. 3. 6.
- Wards.**
- 36 A distresse taken vpon a suit commenced by the procurement of others. AB. Repleuin 4.
- Distresse.**
- 37 No distresse shal be taken but by Bailifes knowne and stwoyne. AB. Distresse 9.
- Distresse.**
- 38 How many shall be returned in Juries, or petit Assises, and of what age they shall be. AB. Iurors 2.
- Jurors.**
- 39 The maner to deliuer writs to the Sherife to be executed. The Sherife returneth a libertie where none is. A Precept deliuered to the Bailife of a libertie. Returning of Issues. Resistance of execution of Procelle. AB. Returne &c. 1. 2. 3. 4. 5. 28. Ed. 1. 16. 2. Ed. 3. 5.
- Execution of writs.**
- 40 There shall be no delay of a womans suit by the minozitie of the heire, which ought to warrant the land. AB. Women 16.
- Women.**
- 41 A Contraformam collacionis to recouer lands aliened, which were giuen in almes. And a Cellaue to recouer lands giuen in almes which be withdrowne. AB. Cellaue 3. 6. Ed. 1. 4.
- Cellaue.**
- 42 The seuerall fees of the Kings Marshals, Chamberlaines, Porters of the Justices in Chire, and Serieants bearing a verge befoze the Justices at Westminster, hauing these offices in fee. CB.
- Fees.**
- 43 Hospitallers and Templers prohibited, that they draw no man into suit befoze the Conseruers of their priuiledges, for any matter, the cognisance whereof belongeth to the Kings Court. CB.
- Hospitallers.**
- Templers.**
- 44 The fees of Porters bearing verges befoze the Justices. And of Chyrogaphers for making of a Chyrographe. AB. Chyrogapher &c. And of clerks writing originall and iudiciall writs, viz. j. s. for a writ. 3. H. 4. 0.
- Fees.**
- 54 The Procees of Execution of things recordez within the yere, or after the yere. AB. Execution 2.
- Execution.**
- 46 Lordes may approue against their neighbours, leauing them sufficient common 20. H. 3. 4. 3. Ed. 6. 3.
- Approuemets.**

- common, and passage. AB. Approuements 2. 3. 4. 6. Usurpation of common during the estate of particular tenants. AB. Common 1. Common.
13. R. 2. 19. 47 A penaltie for taking of Salmons at certaine times of the yeare. AB. Salmons. Fish 1.
25. H. 8. 5. 48 In what cases view of lands is grantable, in what not. AB. View 1. View.
33. Ed. 1. 49 The penaltie of buying of a Title of land depending in suit. AB. Maintenance 3. An action shall be maintained upon the case, where remedie by the law faileth. Champertie. Action on the case.

The Statutes of Winchester made at Westminster

S. die Octobris An. 13. Ed. 1. & An. Dom. 1285.

3. Ed. 1. ¶ 1 Fresh suit shall be made after felons & robbers from towne to towne, and from country to country. AB. Huy & Crie 1. Fresh suit.
28. Ed. 3. 11. 2 Enquests shall be taken to enquire of felons and robbers: and the countrie shall answer if they be not taken. AB. Huy & Crie 1. Enquests.
27. Eliz. 13. 3 This Act shall be respited untill Easter next.
- 4 At what time the gates of great townes shall be shut. And at what houres the night-watch shall begin and end. AB. Watch &c. 1. Watch.
- 5 Highways leading from one Market towne to another shall be 200. foot broad. AB. Highways 18. Highways.
- 6 Curie man shall haue armour in his house according to his abilitie, to keepe the peace. W. 4. & 5. P. & M. 2. Neither Fairs nor Markets shall be kept in Churchyards. AB. Faires &c. 10. Armour. Faires.
13. Ed. 1. ¶ 1 The Statute of Marchants made at Westminster after Easter, An. 13. Ed. 1. & Anno Domini 1285. The forme and execution of a Recognisance, being the remedie whereby Marchants shall recover their debts. AB. Statutes 1. &c. This Statute shall extend to all the people of England and Ireland, saving to Jewes. The forme of the writ of execution of the Statute Marchant. And a seale shall be sent unto every Faire vnder the Kings seale by a Clerke swozne, or the Governour of the Faire, Statute Marchant.
9. Ed. 1. ¶ 1 The Statute of Circumspecte agatis, made Anno 13. Ed. 1. & Anno Domini 1285. Certaine cases wherein the Kings Prohibition doth not lye. AB. Prohibition 2. Prohibition.
9. H. 3. 2. ¶ 1 The Statute of Westminster 3. viz. of Quia emptores terrarum, made Anno 18. Ed. 1. & Anno Domini 1290. The feoffee shall hold his land of the chiefe Lord, and not of the feoffor. But such lands shall not come into Portmaine. AB. Tenure 5. Quo warrant.
- ¶ 1 The Statute of Quo Warranto, made 18. Ed. 1. & Anno Domini 1290. They which haue liberties by prescription, shall enioy them accordingly, if they haue not abused them: And they which haue them by the Kings grant, shall hold them by their Charter. The pleas of Quo Warranto shall be determined before the Iustices in Cire, &c. Quo warrant.
- ¶ 1 A new Statute of Quo Warranto, made Anno 18. Ed. 1. & Anno Domini 1290. They which haue liberties by prescription, shall enioy them accordingly: And they which haue them by the Kings grant, shall hold them by their Charter. Fines.
- ¶ 1 The Statute of Fines, made Anno 18. Ed. 1. & Anno Domini 1290. The manner of leuying of fines: what things be requisite to make them good, and who are bound by them, AB. Fines 2. And the said fines shall conclude not onely parties and priuies thereunto, and their heys, but all other persons being of full age out of prison, of good memorie, and within the Realme, if they make

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- make not their claime within a yeaere and a day AL.4.H.7.24.
- Voucher.** ¶ 1 The Statute of Voucher made Anno 18.Ed.1 & Anno Domini 1290 3.Ed.1.39.
In plea of land the tenant boucheth, and the demandant counterpleadeth, that the tenant nor his ancessors had euer any thing in the land &c. AB. Voucher 2.
- Wast.** ¶ 1 A Statute of Wast made Anno 20.Ed.1. & Anno Domini 1292. The tenant for life committeth Wast, and he in the reuerſion bringeth an action of Wast, and dieth befoze iudgment, his heire brought an action for the same wast and recovered. CB. 10.Ed.1.
- Reſcit.** ¶ 1 Statut de Defensione iuris made Anno 20.Ed.1. & Anno Dom. 1292 Where a stranger comming in by a collaterall title not partie to the suit, shall be received. AB. Reſcit 27
- Jurors.** ¶ 1 Statut de hijs qui ponendi sunt in Affiſis, made Anno 21. Ed.1. & Anno Domini 1293. What frehold lands those Jurors ought to haue, which must passe in trials within the same Countie, and what they which must passe out of that Countie. AB. Jurors 10. 13.Ed.1.30.
- Hunters.** ¶ 1 Statut de Malefactoribus in Parcibus, made Anno 21.Ed.1. & An. Dom. 1293. In what cases the killing of offenders in forests, parkes, or warrens, is punishable, in what not AB. Forests 4. 8.H.6.9.
2.H.5.3.
1.H.8.8.
- Consultation.** ¶ 1 The Statute of Consultation, made Anno 24.Ed.1. & Anno Dom. 1296. A Consultation shall be granted where, vpon the suit of a Prohibition, the partie can haue no remedie in the Kings Court. AB. Prohibition 8. 37.H.8.6.
- A Confirmation.** ¶ 1 A Statute made at London 10. die Octobris, & An. 25.Ed.1. & An. Dom. 1297. A Confirmation of the great Charter, and of the Charter of the Forest: and that the great Charter shall be allowed at the Common Law: and that they shall be sent to all Cathedral Churches, to all Sherifes and Cities, to be published to the people: and that all Bishops shall twice in the yeaere pronounce sentence of Excommunication against all those that by word, deed, or counsell in any point shall breake or vndo them. The Aides, Taxes and Writtes befoze granted to the King, shall be no president, nor shall be drawne into a custome. The Kings grant for him and his heires, that for no business he shall take any such Aids, Taxes, or Writtes, but by common consent of all the realm, and for the common profit thereof.
- Statut. de finibus leuatis made Anno 27.Ed.1. &
Anno Dom. 1299.
- Fines.** ¶ 1 It shall be no exception to a fine, that the demandants, or plaintifes, or their ancessors, were alwaies seised of the land. AB. Fines 21. Fines shall be openly and solemnly read, and in the meane time all pleas shall cease two days in the weeke. AL.4.H.7.24.
- Sherifes.** 2 A Sherife shall execute his warrant in leuying of Issues, and no more: & shall make tallies of such money as he or his officers haue received. AB. Sher. 39
- Mainprife.** 3 Justices of Assise shall be also Justices of Gaole deliuerie, which shall punish Sherifes and others bailing offenders not bailable. AB. Mainprife 4. 1. & 2.P. & M.13.
- Nisi prius.** 4 Nisi prius shall be granted befoze one of the Justices of the Court where the suit is commenced. AB. Nisi prius 2. 12.Ed.2.30.
2.Ed.3.16.
- Ad quod damnum.** ¶ 1 Ordinatio de libertatibus perquirendis, made An. 27. Ed.1. & Anno Dom. 1299. In what cases the writ of Ad quod damnum is to be sued. AB. Ad quod damnum 1. A Commission may be granted to receive Attorneys for such as be impleaded. AB. Atturney 2. 13.Ed.1.10.
- Wards.** ¶ 1 The Statute of Wards and Reliefe, made Anno 28.Ed.1. & Anno Dom. 1300. Who shall be in ward, and pay reliefe, and who not: and how many writs there be to recouer wards. AB. Wards 16.

¶ 1 A Statute made Anno 28. Ed. 1. & Anno Domini 1300. Touching Approvers.
persons appealed by Approvers. AB. Approvers 1.

Articuli super Chartas made at West. An. 28. Ed. 1. &
Anno. Dom 1300.

- ¶ 1 A Confirmation of the great Charter, and the Charter of the Forest: The same shall be in every part observed, and delivered to every Sherife to be read foure times in the yeare in their full counties. Commissioners shall be chosen in every Countie Court, to enquire of, and punish such of the same Countie as shall offend against any point of the said Charters. CB. Confirmation
- 2 No Purueyours shall take any prises, but the Kings, and they only for his house. They shall have their warrant, and shew it. The penaltie if any take without warrant, or otherwise than his warrant. Purueyance for the Wardrobe. AB. Purueyours 3. 4. 11. Purueyours.
- 3 Of what things the Marshall of the Kings house shall hold plea. AB. Marshall 1. Which Coroners shall enquire of the death of a man slaine within the Berge. AB. Coroners 18. Marshall.
- 4 Common pleas shall not be holden in the Exchequer. AB. Courts 5. Common pleas
- 5 The Chancelor, and Justices of the Kings Bench shall follow the King, so that he may alwaies have some men learned in the Law nere him, to order such matters as shall come to the Court. Countrolls.
- 6 No writ that concerneth the Common law, shall be awarded under any of the petit Seales. AB. Proces 4. Seales.
- 7 The Constable of the Castle of Dover shall not hold plea within the Castle gate, of any foraine matter which toucheth not the Castle, nor shall distraine the people of the Cinque Ports, to doe otherwise than their liberties will allow. RR. Dover.
- 8 The inhabitants of everie Countie shall have choise of their Sherife, where the Shirevaltie is not of sex. AL. 9. Ed. 2. 14. Ed. 3. 7. Sherife.
- 9 What sort of people shall be returned upon every Jurie, AB. Jurors 1. Jurors.
- 10 The remedie against conspirators, false Informers, and Embrazers of Juries. AB. Conspiracie 2. Conspiracie.
- 11 Nothing shall be taken to maintaine any matter depending in suit. AB. Maintenance 5. Champertie.
- 12 What distresse shall be taken for the Kings debt, and how it shall be used AB. Accomptants &c. 52. Distresse 11. Distresse.
- 13 The Commons of the Shire shall chuse such Sherifes that shall not charge them, or place any Officer for rewards or bribes, and which shall not lodge to often in one place, nor with worse persons or men of Religion. CB. Sherifes.
- 14 Bailiwikes and Hundreds shall not be letten so bare, whereby the people may be overcharged with contribution to such sermes. CB. Bailiwikes.
- 15 In Summons and Attachments in plea of land, the writs shall containe xv. dayes AB. Dayes 6. Dayes.
- 16 Such Execution shall be done of them that make false Returnes of writs, whereby right is deferred with the like paine, as is contained in the Statute of 13. Ed. 1. AB. Returne &c. 1. False returne.
- 17 The Statute of Winchester shall be read foure times in the yeare, and put in execution. CB. Statute of Winchester.
- 18 An Escheator, or Subescheator shall commit no waite in wards lands. AB. Wards 23. Wards.

King Edward the first.

- Livirie.** 19 In what case the owner shall have his lands delivered out of the Kings hands, with the issues. AB. Livirie 11.
- Gold.** 20 Vessels of gold and silver shall be assayed and touched. AB. Gold 9. 2.H.6.14
- R. prerogat.** All these things notwithstanding the right and prerogative of the Crowne shall be saved to the King in all things.
- Amoureas manum.** ¶ 1 Statut de Eschaetoribus made at Lincolne Octabis Hillarij, Anno 29. Ed. 1. & Anno Domini 1300. In what case an Amoureas manum with the issues shall be granted: and in what a Releifer. AB. Livirie 12.
- Releifer.** ¶ 1 The new Statute of Quo Warranto made at Gloucester Anno 30. Edward 1. touching claiming of Lands, Hundreds, Tolls, and other liberties in Cire, and complaints made of Bailifes: and the forme of Writs devised for the same.
- Quo warrant.** ¶ 1 Statut de protectionibus made at Westmynster 18 die Nouembris, Anno 33. Ed. 1. & Anno Domini 1304. A cause to repeale a Protection of the Kings service. AB. Protection 4.
- Protection.** ¶ 1 A definition of Conspiratores made Anno 33. Ed. 1. Anno Domini 1304
- Conspiratores.** AB. Conspiracie 1. And who be Champertors. AB. Maintenance 6.
- Champertors.** ¶ 1 The Statute of Champertie made at Westmynster 18 die Septembris, Anno 33. Ed. 1. & Anno Domini 1305. The punishment of such as commit Champertie. AB. Maintenance 5. 3.Ed.1.25. 13.Ed.49.
- Champertie.** ¶ 1 An Ordinance for Enquests made at Westmynster 18 die Septembris Anno 33. Ed. 1. & Anno Domini 1305. He that chalengeth a Iurie or a Iuro for the King, shall shew his cause. AB. Challenge 5.
- Challenge.** ¶ 1 Ordinatio forestarum made An. 33. Ed. 1. & An. Dom. 1305. They whose woods are disafforested shall not have common, or other easement within the B. forest. But if they will returne their woods into the forest, they shall have common and other easement, as they had before. EP.
- Forest.** ¶ 1 An Ordinance for measuring of land made An. 34. Ed. 1. & An. Dom. 1306. AB. Weights &c. 5.
- Measure.** ¶ 1 The Statute de Coniunctim feoffatis made at Westmynster 27 die Maij, Anno 34 Ed. 1. & Anno Dom. 1306. Joindenancie pleaded in abatement of a writ. AB. Joindenancie 1.
- Joindenancie.** ¶ 1 Articles of Inquisition upon the Statute of Winchester made Tempore Ed. 1. An inquirie how the particular branches of the same Statute be performed, and by whom broken.
- Inquisition.** ¶ 1 A Statute of not amortizing lands made Tempore Ed. 1. A Prohibition that lands be not amortized where there be Mesnes, unless the religious doe shew to the king the same Mesnes assent by their letters patents under their seales. And that nothing shall passe where the doner doth not reserve something to himselfe. CB. 25.Ed.1.
- Prohibition.** ¶ 1 A Statute made in the time of king Ed. 1. whereby the king did grant That no Tallage or Aid should be taken or levied by him or his heires, without the assent of the Lords and commons: nor that any of his officers should take any goods of any persons without the owners consent, and the kings pardon to some of his subiects. 4.Ed.3.9.
- Pardon.** ¶ 1 A Statute de Asportatis Religiosorum made at Carliel, Anno 35 Ed. 1. & Anno Domini 1307. No fare shall be sent or paid by any religious house to any superior out of England. No religious person shall goe to any Visitation out of England. No religious house out of England shall set any fare or paine upon any religious house in England, one paine to forfeit all that they may forfeit, saving to religious houses Aliens their Visitations in England. CB.
- Religious houses Aliens.**

King Edward the second.

9

¶ Statut Ne Rectores prosteruant arbores in Coemiterio, made Anno 35. Churchwards :
Ed. 1. & Anno Domini 1307. In what case trees may be cut downe in Church,
yards. AB. Ecclesiasticall &c. 34.

King Edward the second.

1 A Statute made for knights Anno 1. Ed 2. & Anno Domini 1307. If any knight
will complaine in the Chancery because he was distrained to take upon
him the order of a knight, & hath not twentie pounds yearly in fee, or for terme
of life: or that he is impleaded for all his land, or for part of the same, so that
the residue be not sufficient to the valew of xx. l. or that he is bound in certaine
debts in the Exchequer, for a certaine summe to be receiued yearly out of his
lands, so that the residue doe not amount to the yearly value of xx. l. beside the
said summe: or that he is not come to the age of xxi. yeares: or that his lands is
holden in ancient demesne of the Crowne of England as a sokeman, which
must giue Tallage when the kings demesnes are taxed: or that his lands are
holden in socage of other Barons than of the kings: or that his lands be Bur-
gage lands, though they doe amount to the yearly value of xx. l. or more: or that
he hath holden his lands in his hands but a smal time: or that he is of great age
or hath defect in his bodie, or incurable disease, or hath charge of children, or of
suits, or doe alledge such necessarie excuses, and that he shall proue the same by
Engueth, he shall resort to R. E. and A. B. and make a re so nable fine. Q. whe-
ther this be a Statute in force, or was made only for that present time.

¶ Statut de frangendis prisonam, made Anno 1. Ed. 2. & Anno Dom. 1307. In what case it is felonie to breake prison: AB. Prison 5. Breaking of
prison

Articuli Cleri made at Lincolne Anno 9 Ed 2.

& Anno Dom. 1315.

1 No Prohibition shall be granted where Tithes, Oblations, Obven- Prohibition:
tions, or Portuages be demanded, but where money for them. AB. Prohibiti-
on 1.

2 Debate upon the right of tithes exceeding the fourth part. And enioying Penance,
of penance pecuniarie or corporall. AB. Prohibicion 2. 3. 4.

3 Laying violent hands upon a Clerke. Excommunication for penance Excommuni-
cation, 2. corporall. AB. Prohibicion 3.

4 Prelates may correct for defamations. AB. Prohibition 3. Defamation.

5 No Prohibition where Tith is demanded of a new mill. AB. Prohibition 3. Mill.

6 A suit for one offence prosecuted in both Courts. AB. Prohibition 3. Double suit.

7 In what onely case the kings letters to absolve an excommunicat, shalbe Absolution.
sent. AB. Excommunication 10.

8 Clerkes in the kings service shalbe discharged of their residence, but shal Residence.
be corrected by their Ordinarie. AB. Ecclesiasticall &c. 23.

9 Distresses shall not be taken in the highway, or the ancient fees of the Distresse.
Church. AB. Distresse 3.

10 They that abiure the Realme, so long as they be in the common way, or Abjured.
in the Church, shall be in peace. EP. Jac. 25.

11 Religious houses shall not be charged by compulsion with robes, Monasteries,
penitions, resort, or taking of their horses or carts. CB.

1. Ed. 3. 10.

King Edward the second.

- Excommunication.** 12 A Clerk excommunicat may be taken out of the Parish where he dwelleth
AB. excommunication 11.
- Presentation.** 13 A Spirituall Judge shall haue the examination of a Parson presented
to a Benefice. AB. Ecclesiasticall &c. 3.
- Election.** 14 There shalbe free election of dignities of the Church. AB. Corporations 29. 3. Ed. 1. 5.
- Abiuration.** 15 A Clerke flying to the Church for felonie, if he affirme himselfe to be a
Clerke, shall not be compelled to abiure the Realme, but shall enioy the priu-
ledge of the Church. AL. 28. H. 8. 1.
- Priviledge.** 16 The priuiledge of the Church being demanded in due forme by the Di-
narye, shall not be denied to the Appelloz, as to a Clerke that hath confessed
his theft, robberie, murder, &c. AL. 28. H. 8. 1.
- Sherifes.** ¶ 1 The Statute of Sherifes made at Lincolne. Anno 9. Ed. 2 & Anno
Dom. 1315. Sherifes shall be assigned by the Chancelloz, Treasurer, Barons
of the Exchequer, & Justices. A Shirife must haue sufficient in the same county
and not be Steward or Bailie to any Lord, and be out of service. And Bailifs
of Hundreds shall haue sufficient within the same Shire. AB. Sherife 1. 2. 25. 14. Ed. 3. 7.
- Gaualet.** ¶ 1 The Statute of Gaualet in London, made An. 10. Ed. 2. & Anno Dom.
1316. Lords of Rents in London shall recouer them by a writ of Gaualet of
customs and seruices, and in default thereof the lands in demesne in fee, which
then shall be called Forchoc. Q. for the vse. 4. Ed. 3. 9. 5. Ed. 3. 4.
- Forchoc.**

The Statute of Yorke made 20. die Octobris. Anno 12.

Ed. 2. & Anno Dom. 1318.

- Attorney** ¶ 1 Tenants in Assise of Nouel disseisin may make Attorneys. AB. Attur-
neys 3.
- Witnesse** 2 Prozesse against the witnesses of a deed denied. AB. Witnesse 2.
- Nisi prius.** 3 Enquests and Iuries touching pleas of land, shall be taken by Nisi prius. 27. Ed. 3. 4.
AB. Nisi prius 2. 2. Ed. 3. 16.
- Nisi prius.** 4 Justices of Nisi prius shall Record ponsuits, defaults, &c. wherupon
iudgment shall be giuen. AB. Nisi prius 3.
- Returns.** 5 An indenture shall be made betweene the Sherife and Bailife of Fran-
chise of euerie returne, and they shall set their names to the returnes, AB. Re-
turne &c. 6. 7.
- Viñtall.** 6 No Officer of a Citie or Borough shall sell wine or victuals during his
office, AB. Viñtall 9. 6. R. 2. 9. 3. H. 8. 4.
- Essoines** ¶ 1 The Statute of Essoines made Anno 12. Ed. 2. & Anno Domini 1318
Certaine cases wherin Essoines dos not lie. AB. Essoines 9.
- Fines.** ¶ 1 The Statute of Carluel made Anno 15. Ed. 2. & Anno Domini 1322.
The Connoz in a fine shall come personally befoze the Justices. AB. Fines 1.

Prerogatiua Regis, made Anno 17. Ed 2.

& Anno Dom. 1324.

- Wardship.** ¶ 1 The kings Prerogatiue in the wardship of his tenants heire, which
holdeth of him in chiefe. AB. Prerog. 1.
- Mariage.** 2 His Prerogatiue in the mariage of his tenants heire. AB. Prerog. 2.
- Primer seisin.** 3 His Prerogatiue in the primer seisin of his tenants lands. AB. Prerog. 3. 52. H. 3. 16.
- Widowes.** 4 His Prerogatiue in assignement of dower to his widowes. AB. Prerog. 4.
- women.** 5 His Prerogatiue in the mariage of his women tenants. AB. Prerog. 5.
- Coparceners.** 6 His Prerogatiue in diuiding of Coparceners lands holden of him. AB.
Prerogatiue 6.

1. Ed. 3. 12. 7 His Prerogative, that lands holden of him in chiefe may not be aliened without his licence. AB. Prerog. 7. Alienation.
- 8 His Prerogative, that they which hold lands of him by Serieantie shall pay a fine at the alienation of them. AB. Prerog. 8. Serieantie.
- 9 His Prerogative, that lapse of six monethes shall not preiudice his presentation. AB. Prerog. 9. Lapse.
- 10 His Prerogative in the custodie of lands of Ideots. AB. Prerog. 10. Ideot.
- 11 His Prerogative in the preservation of the lands of Lunatikes. AB. Prerog. 11. Lunatike.
- 12 His Prerogative in having the wrecke of the sea, Whales, and Sturge. AB. Prerog. 12. wrecke.
- 13 His Prerogative in enioying his tenants lands, which intrudeth upon his possession befoze homage done, and seisin deliuered. AB. Prerog. 13. Intrusion.
- 14 His Prerogative in having the Elcheat of Bishops freholders attain. AB. Prerog. 14. Elcheat.
- 15 His Prerogative, that Knights fees, Adoucons, and Dowers, do not passe from him without speciall words. AB. Prerog. 15. Knights fees.
9. H. 3. 12. 16 His Prerogative in having the goods and lands of felons attainted. AB. Prerog. 16. Felons.
- ¶ 1 The maner of doing of homage and fealtie, made Anno 17. Ed. 2. & Anno Domini 1324. AB. Homage & c. 2. 3. 4. Homage.
- ¶ 1 The Statute de visu franci plegij, made Anno 18. Ed. 2. & An. Dom. 1325. Of what things Stewards in their Leets shal enquire. AB. Leets 1. Leets.
36. Ed. 3. 5. ¶ 1 A Statute of Pzises made Anno 28. Ed. 1. and confirmed by King Edward the second. Purueyours shall agree for things taken, shall haue a Commission, and shew it, and shall take nothing without warrant. AB. Purueyours 3. 4. Pzises.
- ¶ 1 Articles against the Kings Prohibition. In which cases the Kings Prohibition will lie, in which not. AB. Prohibition 1. 2. 3. 4. Prohibition.

An Ordinance for Bakers, Brewers, and other Victualers.

and for Elmes, Bosshels, and Forrestallers

- ¶ 1 The Assise of bread shall not be changed, but as cozne riseth or falleth by: 8. in the Quarter. AB. Weights 15. Assise.
- 2 For what offence a Baker shall be amerced, and for what set on the Pillorie. AB. Weights 15. Baker.
- 3 Cuerie Pillorie or Stretch-neckes shalbe of conuenient strength, that the offender may be punished without perill of his bodie. AB. Weights 14. Pillorie.
- 4 How toll at a Mill shall be taken. AB. Toll 21. Toll.
- 5 The price of Wine shall be twelue pence a gallon: and if the Tauerers exceed that price, their doores shall be shut up by the Paioz and Bailifes. Wine.
- 6 The Assise of Ale shalbe according to the price of cozne, wherof the mault is made. AB. Weights 15. Ale.
- 7 The punishment of a Butcher that buyeth swines flesh medled, or dead of the murren: or buyeth it of Jewes and selleth it to Christians. AB. Butchers 4. Butchers.
- 8 Bosshels, Gallons, and Elmes, shall be signed with the kings Seale. And he that doth buy or sell by other measure, shall be grienously amerced. AL. 11. H. 7. 4. Measures.

King Edward the third.

- Measures.** 9 The Standard, Busshels, and Elnes, shalbe kept by the Maiors, Bailifes and six swoyne men. AL. 11. H. 7. 4. No graine shal be sold by the heape or can-
tell, but Dats, Palt, and Peale,
- Forestaller.** 10 No Forestaller shal be suffered to dwell in any Towne. AB. Forestallers
&c. 1.
- Measure.** ¶ 1 The content of measure of a Busshell, being the eight part of a Quar- 11. H. 7. 5.
ter. AB. Weights 2.
- Templers.** ¶ 1 Statut de terris Templariorum, made Anno 17. Ed. 2. Because the mili-
tarie Order of the brethren of the Templers is suppressed, whose lands were
given unto them for the defence of Christians, and the holie Land, against Pa-
gans, and Saracens, and other enemies of Christ and Christians, and the uni-
versall holie Church, It is enacted by Parliament for Law for ever to endure.
That al their lands shalbe assigned and goe to the Order of the Prior brethren
and their successors of S. Johns of Jerusalem, which likewise is canonized, in-
stituted, and provided for the defence of Christians and the holie Church, To
be holden of the King and other Lords of the see, by the same services that the
brethren of the military Order of the Templers held them. Saving to all o-
thers their actions, rents, services, &c. Anno 32. H. 8. 24. Dissolued.

Statutes Made at Westminster 7. Martij. Anno 1.

Ed. 3. Anno Dom. 1327.

- Pursuit of R.** 1 None shall be impeached in person or goods, that came out of France
Ed. 2. with the King and Quene Isabel his mother, in pursuit of King Ed.
the second his father, who was taken and put in ward, and there remaineth: Or
for the pursuit of any other with him, or taking their bodies or goods, or the
death of them. But this shal not extend unto other offenders. EP.
- Hugh Spen-
cre** 2 A Confirmation of the exile of Hugh Spencer the father, & Hugh Spen-
cer the sonne. EP.
- Assurances by
durrelle.** 3 Fines levied to the said Spencers, or other rebels, lands sold, and recog-
nifances acknowledged unto them by force & durrelle, shal be renewed by writ
awarded out of the Chancerie, and returned into the R. Bench. And the Cre-
ditors of them whose persons were slaine, and goods spoiled in the time of that
tumult, shal have their actions to recover the value of the same goods against
the Creditors of them which made the said spoile. EP.
- Auerrement.** 4 Trial of an Auerrement in a writ of False judgment. AB. False &c. 2.
- Returne of
Bailifes,
Attaint.** 5 Auerment against the returne of Bailifes of Franchises. AB. Returne
&c. 8.
- 6 Attaint will lie as well upon the principal as upon damages in an action
of Trespasse. AB. Attaint 12. 5. Ed. 3. 7.
- Prisoners.
Approvers.** 7 The Justices of either Bench, of Assise, and Gaole delivrie, shal heare
and determin the offences of those Sherifes, Gaolers, and Keepers of prison, 14. Ed. 3. 19.
which by durrelle doe cause a prisoner to become an Approver. AB. Justices of
both Benches &c. 3.
- Forests.** 8 How he shal be bled which is taken in the Forest for any offence of Murt
or Benison. AB. Forests 2. If the chiefe Warden of the Forest will not bayle
him, he shal have a writ out of the Chancerie, directed to the Sherife, to attach
the said Warden to be before the King: And the Sherife in the presence of the
Wardens shal baile the said offender. AL. 7. R. 2. 4. 9. H. 3. 16.

Other

Other Statutes Made at Westminster Anno 1. Ed. 3.

& Anno Dom. 1327.

- 1 The great Charter, and the Charter of the Forest confirmed. The old Perambulations of the Forest, made in the time of king Edward I. shall be riden and bounded. And a Charter shall be made to every Shire where it was riden and bounded, and where it was not bounded, it shall be by good men, and a Charter shall be made. Confirmation of Forests.
- 2 How every man may use his Woods within the Forest. AP. Woods 23. Woods. Temporalities
Bishops Temporalities with their goods & chattels shall not be seized into the kings hands without cause, as they were in the time of king Edward the second HP.
- 3 Issues and Amerciaments pardoned by king Ed. the 2. and yet by him levied, shall be released. And also the Jewes debts Debt pardoned
- 4 The kings debts to the summe of three hundred pounds, shall be ordered and determined according to the estate of the debtors saving their countenance. And other debts shall be levied by the debtors oath, saving his countenance. HP. K. debt.
- 5 No man shall be compelled to goe to warre out of the Shire where he dwelleth, but where need requireth, and sudden coming of forraigne enemies into the Realme. warre.
- 6 When the Commons doe grant Aid of their goods to the king, they shall be taxed as they had woont to be, and no otherwise. Taxes.
- 7 Wages shall be given by the king, and not by the commons, to Preparers, Connepors, and Souldiers, being in making ready toward service in Warre. AB. Warre 1. warre.
- 8 Nothing shall be taken by Sherifes, naming themselves the kings Approvers, for Beaupleader. HP. Beaupleader
- 9 Cities, Boroughes, and Franchised Townes, shall enjoy their customes: Franchises.
- 10 There shall be no more grant of Corodies by Bishops, Abbots, Priors, Corodies.
or at the kings request.
- 11 A Prohibition against them who in the Spirituall Court sue their Indictors. AB. Prohibition 7. Prohibition.
- 12 For lands holden of the king in chiefe, being aliened without licence, there shall be a fine taken, but noe forfeiture. AB. Prerog 8 Alienation without licence
- 13 Lands holden of the king, as of some honour, be not holden in chiefe. AB, Prerog 8; Tenures 1. C. in chiefe.
- 14 None shall commit maintenance by the sending of letters, or otherwise, to the hinderance of the common law. AB. Maintenance 1. Maintenance
- 15 No man shall be bound by writing to come armed to the king when he is sent for. CB. Armed:
- 16 Justices of peace shall be appointed in every Countie. AB. Justices &c. 1. Justices.
- 17 Indictments in Sherifes Turnes shall be by Rol indented. AB. Sherifes Indictments. Indictments.

Statutes Made at Northampton tribus Septimanis Pascha,

An. 2. Ed. 3. & An. Dom. 1328

1 The great Charter, and the Charter of the Forest shall be observed in all points. Confirmation

King Edward the third.

Pardon.	2 Of what offences Pardon may be granted, AB. Pardon 1. Who shall be Justices of Assise, Dier determiner, and Gaole delivierie.	6.Ed.1.9. 4.Ed.3.13.
Armed.	3 No man shall come befoze the Justices, oꝝ goe, oꝝ ride, armed. AB. Armour 1.	7.R.2.13. 20.R.2.1.
Sherifes.	4 A confirmation of the Statute of Lincolne, concerning the sufficiency of Sherifes, Hundreds, and Balifes, AB. Sherifes 1.25.	9.Ed.2. 4.Ed.3.9.
Writts.	5 The manner how writts shall be delivred to the Sherife to be executed, AB. Returne &c. 1.	5.Ed.3.4. 13.Ed.1.39.
The peace.	6 A confirmation of the Statute of Winchester. Justices of peace shall haue power to punish the disobeyers and resisters of the peace, AB. Justices of Peace 18.	18.Ed.3.2. 34.Ed.3.1.
Commissions	7 Commissions shall be graunted to great men of the Realme, some of the Justices of one Bench and the other, and other learned men in the Law, to heare and determine felonies, oppressions, and diuers other offences past. EP.	
Justice.	8 No commaundement vnder the great oꝝ little Seale, shall disturbe oꝝ delay Justice. AB. Justice 1.	11.R.2.10.
Staples.	9 All Staples shall cease, and all Marchants may come and goe with their Marchandises. Marchants 1.	
Pardon.	10 A Pardon foꝝ all fines foꝝ writts, vntill the 20. yeare of King Edward the first. EP.	
Adjournment	11 The common Bench shall not be remoned without warning by Adjournment. AB. Adjournment 1.	
Hundreds.	12 Hundreds and Wapentakes, shall not be let to ferme by the King to others, but shall be annexed to the Counties, and not hereafter seuered from them	4.Ed.3.15.
Process.	13 Like Process shall be made of Trespas done in the time of King Ed. the 2 as in the time of the king that now is. EP.	
Clothes.	14 The measuring, assising, and marking of cloth of Ray. AB. Draperie 1.	7.H.4.10.
Faires.	15 No man shall keepe a Faire longer then he ought to do. AB. Faires 1.	13.H.4.4. 5.Ed.3.4.
Nisi prius.	16 A Nisi prius may be granted as well at the tenants suit, as at the demandants. AB. Nisi prius 2.	27.Ed.1.4. 12.Ed.2.3.
Deceit.	17 A writ of Deceit shall be maintainable in case of garnishment, touching plea of land. AB. Deceite 2.	

Statutes made at Westminster 27. die Nouembris, Anno 4.Ed.3. & Anno Dom. 1330.

Confirmation	1 The great Charter, the Charter of the Forest, and all other Statutes, shall be obserued.	
Justices.	2 The authoritie of Justices of Assise, Gaole delivierie, and of peace. AB. Justices of Assise &c. 3.	
Purueyours.	3 There shall be no purueyance but foꝝ the king, the Quene, and their children. There shall be an appzailment of things taken. And by what measure Purueyours shall take. AB. Purueyours 16.17.	25.Ed.3.1. 36.Ed.3.2. 10.Ed.3.1.
Purueyours.	4 A confirmation of the Statute made 28. Ed. 1.2. touching Purueyours. AB. Purueyours 3.4. 11.	
Pardon.	5 The kings Pardon of certaine duties granted to him by some knights, Citizens, and Burgeses, EP.	
Religious.	6 The Statute made at Carlisle Anno 35. Edward 1. touching religious persons, shall be obserued. CB.	

- 7 Executors shall haue an action of trespass for a wrong done to their Le' Executors.
 Executors. AB. Executors 1.
- 8 At Doner, and all other passages, men shall pay for their faires as they Passages.
 had wont to doe.
- 9 No Sherife, Balife of Hundzed, Wapentake, or Franchise, nor vnder Sherife.
 9. Ed. 1.
 5. Ed. 3. 4. Escheator shall be, except they haue lands sufficient in the same places, to answer the King and his people. AB. Sherifes 1.
- 10 Sherifes and Gaolers shall receiue felons, without taking any thing Gaolers.
 therefore. AB. Prisoners 6.
- 11 Justices of the one Bench and the other, and Justices of Assise, and Maintenance.
 20 Ed. 3. 6. Nisi prius, shall enquire of, heare and determine of Paintainers, Bearers, Conspiratozs, and committers of Champertie. And that which cannot be determined befoze the Justices vpon the Nisi prius, shall be adiourned into the Adjournment Bench wherof they be Justices, and there determined. AB. Justices of both Benches 3.
- 12 Wine shall be sold at reasonable prices, regarding the price it is at in the Wines.
 port from whence it came, & the expence in carriage. AL. 28. H. 3. 14. Wines shall be assaied twice in the yere by the Lords or chief Officers of the Townes, and the corrupt shall be powzed out, and the vessels broken. AB. Wines 12.
- 13 A Confirmation of the Statute made Anno 2. Ed. 3. 2. Touching Pardons,
 pardons.
- 14 A Parliament shall be holden once euerie yere. AB. Parliament 1.
 36. Ed. 3. 10. Parliament.
- 15 Sherifes shall let their Hundzeds and Wapentakes for the old ferme, Hundzeds,
 2. Ed. 3. 12. and not aboue. And the Justices assigned shall enquire of the offendours, and punish them. AL. 4. H. 4. 5. & 23. H. 6. 10.

Statutes Made at Westm, Craftino Michaelis, Anno

5. Ed. 3. & Anno Dom. 1331.

- ¶ 1 The great Charter, and the Charter of the Forest, shall be maintained. Charter.
 ned.
- 2 Things purueyed for the Kings house shall be praeled by the Con Purueyors,
 4. Ed. 3. 3. stables and four men of the same Towne, and Tallies shall be made there, of AB. Purueyors 7. Of what people Enquests in the Parhalls Court shall Parhall.
 36. Ed. 3. 2. bee taken. And where Errour committed there shall be redressed. AB. Marshall 4. 5.
- 3 A Confirmation of the Statute of Carlile, made Anno 35. Ed. 1. touching Monasteries:
 religious houses, &c.
- 4 None shall be Sherife, Balife of Hundzed, or vnder Escheator, vnlesse Sherife.
 4. Ed. 1.
 4. Ed. 3. 9. he hath sufficient land in the same Countie. AB. Sherife 1.
- 5 The foreseture if any doe sell wares at a Faire after it is ended, AB, faires.
 2. Ed. 3. 15. Faies 11.
- 6 Nisi prius shall be granted in Attaint, but no Cofine nor Protection, Attaint.
 Fine days in the yere shall be giuen befoze the Justices of the common Bench AB. Attaint 12.
- 7 Attaint shall be granted in trespass, if the damage passe fortie shillings. Attaint.
 28. Ed. 3. 8.
- 8 The Parhalls of the Kings Bench shall not baile felons, AB. Main. Mainprise,
 2. Ed. 3. 6. prise 5.
- 9 No man shall be attached, nor fozeindged of life, limbe, lands, or goods Justice.
 9. H. 3. 39. against the forme of the great Charter, and the law of the land. AB. Accufation
 28. Ed. 3. 3. 1. Justice 1.

King Henrie the third.

- Ambiderter.** 10 The punishment of a Juror that is Ambiderter, and taketh of the one part and the other, to give his verdict. AB. Jurors 6. 34. Ed. 3. 4.
38. Ed. 3. 12.
- Inditments.** 11 Proses against those which be appealed, indicted, or outlawed in one Countie and doe remaine in another. AB. Inditments 2.
- Outlawrie.** 12 What is requisit to bee done to haue their pardons allowed, which bee outlawed. AB. Exigent 2. 3.
- Outlawrie** 13 What is requisit to be don where a man will auoide an Outlawrie by imprisonment. AB. Exigent 4.
- Suspected persons.** 14 Fright-walkers and suspected persons shall be arrested, and safely kept, untill they be deliuered by the Justices of Gaols deliuerie. AB. Eclonic 2.

Statutes Made at Yorke Craffino Ascensionis, Anno 9.

Ed. 3. & Anno Dom. 1335.

- Marchants. Aliens** ¶ 1 Marchants strangers may buy and sell within this Realme without disturbance. And what punishment shall be inflicted vpon them which doe mo-
lest them. AB. Marchants 1. 25. Ed. 3. 2.
11. R. 2. 7.
16. R. 2. 1.
- Non pleuin. Fourcher.** 2 No man shall loose his land because of Non pleuin CB.
- 3 In a writ of Debt brought against diuers executors, they shall not souzch by essoine. AB. Executors 4.
- Trial.** 4 Trial of a Deed dated where the Kings Wit runneth not. AB. Tri-
all 9.
- Records.** 5 Justices of Assise, Gaole deliuerie, Oyer and Terminer, shall send all their Records and Proses determined, and put in execution to the Erche-
quer at Michaelmas enerie yeare once: so that they reserue the Estreats of
them, to send to the Erchequer. And the Treasurer and Chamberlaines see-
ing their Commissions, shall receiue the same Records and Prosesses. Quare
for the/ble.

The Statute of Money made at Yorke Craffino Af-

censionis, Anno 6. Edward 3. & Anno Do-
mini 1335.

- Gold and siluer.** ¶ 1 No man shall carrie or send gold or siluer out of the Realme, without the Kings licence. AB. Money 3. 5. R. 2. 2
2. H. 4. 5.
- Falfe money.** 2 No false money nor counterfeite sterling shall be brought into the Realme vpon paine of forseiture thereof. But all siluer being not false, may be brought to the Erchangers.
- Melting.** 3 No sterling, halfe penie, farthing, &c. shall be molten to make vessell of. 17. R. 2. 12.
AB. Money 7.
- Black money** 4 All blacke money shall be excluded, and none shall be currant. CB.
- Forseitures.** 5 Whofoeuer will sue for any of the forfeitures aforesaid, shall haue the fourth part.
- No fraud.** 6 Maiors and Bailifes in euery port shall take an oath of Marchants and Passers of ships, to doe nothing to defraud this ordinance. CB.
- Erchangers.** 7 Tables of Erchanges shall be where the King will make erchanges. And the Wardens shall make them by the testimonie of Controllers. CB.
- Pilgrim.** 8 No Pilgrim shall passe out of the Realme but at Doner. CB.
- Search.** 9 Search shall be made by swoornemen for money or plate carried forth of the Realme, and for false money brought in 13. R. 2. 20.
4. Ed. 4. 10.

10 The

10 The Searchers shall have the fourth partie of that which they find, and Searchers: for releasing or dispensing with any, shall forfeit all their goods.

11 Hostlers in every Port shall be sworn to search their guests, as the Hostlers. Searchers do, and they shall have the fourth part. And Searchers may search their Hostleries. And the Hostlers found in default shall forfeit all their goods. CB.

Statutes made at Westminster Anno 10. Edw. 3. &

Anno Dom. 1336.

¶ 1 The great Charter, the Charter of the Forest, and all former Statutes, shall be observed. Confirmation

2 No Pardon shall be granted against the forme of the Statute made at Pardon. Portheampton. An. 2. Ed. 3. 2.

3 He that hath a Pardon shall find sureties for his good abearing. AB. Pardon. don 5.

Statutes of Purveyors made at Westminster Anno

10. Ed. 3. & Anno Dom. 1336.

5. Ed. 3. 2. ¶ 1 Things provided for the Kings, the Queenes, and their childrens Purveyors. houses, shall be paid by the Constables and four men of the towne. And tallies shall be made thereof. AB. Purveyors 17.

5. Ed. 3. 2. 2 Of what people Enquests in the Marshals Court of the K. house shall be taken. AB. Marshall 4.

5. Ed. 3. 2. 3 Error in the Marshals Court shall be reversed in the Kings Bench. AB. Marshall 5.

14. Ed. 3. 19. 4 The Sherifes shall make purveyance for the K. houses in those Counties K. houses. where they be. AB. Purveyances 10. But this is holden for no Statute, as it appeareth by the Roll.

5 Certaine persons shall be appointed to heare and determine all the offences done by the keepers of the kings houses. CB.

Statutes made at Westminster 27. die Septembris,

Anno 11. E. 3. & An. Dom. 1337.

¶ 1 No person upon paine of death shall carie wool out of the realm, untill it be otherwise ordained by the King and his Councell. wool.

2 No person of England, Ireland, Wales, nor under the Kings power in Scotland (except the King, the Queene, and their children) shall weare any foreign cloth. Scotland (except the King, the Queene, and their children) shall weare any cloth, other than is made in England, Ireland, Wales, or Scotland, under the Kings power, upon paine of forfeiture of the same, and to be punished at the Kings pleasure. RP. 1. Jac. 2. 5. In the said Lands a man may make cloth as long and as short as he will. RP. 5. Ed. 6. 6.

4. Ed. 4. 1. 3 No cloth wrought beyond the sea shall be brought into England, Ireland, Wales, Scotland, &c. AB. Draperie 101. Cloth.

4 If any person of England, Ireland, Wales, or the Kings dominions of Scotland, shall weare any furs (except the King, Queene, their children, Carles, Barons, Knights, & people of holie Church, which may dispend 100. l. yearly by their benefices) he shall forfeit the same, and be punished at the K. pleasure. RP. 24. H. 8. 13. wearing furs.

D

5 Cloth,

King Edward the third.

Clothworkers.

5 Clothworkers may come into England, Ireland, Wales, and Scotland, to dwell, and shall have sufficient franchises, &c.

Statutes made at Westminster die Martij, Anno 14.

E.3. & Anno 1. of his raigne of France, &
An.Dom. 1340.

Confirmation

¶ 1 A confirmation of the Liberties of holie Church, of the great Charter, and the Charter of the Forest. London and all other Cities & Boroughes shall have their franchises and customes, which they have reasonably had and used.

Pardon.

2 3 The kings pardon of divers forfeitures, accounts, debts, arrerages, &c. due untill the tenth yeare of his raigne. &c.

Englischere.

4 Presentment of Englischere shall be clerely certipart. &c.

Judgements.

5 Delays of iudgements in other Courts shall be decided in Parliament. AB. Parliament 13.

Records.

6 A Record which is defective by misprision of a Clerke, shall be amended. 9.H.4.4.
AB. Records 1. 8.H.6.15;

Sherifes.

7 No Sherife shall tarrie in his office above one yeare. AB. Sherifes 4. And then the Chauncelloz, Treasurer, and chiefe Baron of the Exchequer, taking to them both the chiefe Justices, the morrow after all Shouls shall ordaine another in his place. 41.Ed.3.9.
23.H.6.8.
9.Ed.1.1.

Escheatozs.

8 There shall be moze Escheatozs than of late hath beene, viz one on this side Trent, and another beyond, who shall be chosen as is aforesaid of Sherifs. An Escheatoz shall continue but one yeare in his office. AB. Escheatozs 8. A Co. 1.H.8.8.
roner shall have sufficient land. AB. Coroners 1.

Sherifes.

Bailie errant.

9 Sherifes shall hold Hundreds and Wapentakes in their owne hands, or let them upon the old rent. There shall be but one Bailie errant in one Countie. &c.

Prisons.

10 Sherifes shall have the keeping of Gaoles, and put in such keepers for whom they will answer. A prisoner by duress become meth an approuer. AB. Prison 2. 19.H.7.10.
1.Ed.3.7.

Cl. of Statutes

11 A Clerke of the Statutes shall have sufficient, and be resident upon his office. AB. Statutes &c. 2.

Weights and measures.

12 There shall be one Weight and one Measure through the Realme. AB. 9.H.3.25.
Weights 1. Standards of Bushels, Weights, and Gallons, shall be sent into euerie Countie: and certaine shall be appointed to suruey that all weights and measures be accordyng to the said Standards. AL. 11.H.7.4. The Clerke of the Market shall doe his office. And the Lords of franchises shall enioie them. 27.Ed.3.13

Escheatozs.

Wards lands

13 Escheatozs shall make no waist in Wards Lands. AB. Wards 23. The next of kin to whom the lands cannot descend, may take of the king in ferme his Wards lands, untill his full age, yielding the rent. AL. 32.H.8.36. 28.Ed.1.18
36.Ed.3.13

Search.

14 A man shall have but foure Writs of Search for the king. AB. Aid of the king 3.

Pardon.

15 No pardon for felonie shall be granted, but where the king may doe it, saving his oath. AB. Pardon 1. 2.Ed.3.2.

Nisi prius.

16 Nisi prius may be granted as well before any Justice of another Court, as of the same Court where the suit dependeth, & before the B. Serieant: and they may giue their iudgements upon verdicts in Aulse of Darrein presentment, and Quare impedit. AB. Nisi prius 2.

17 Iuris vtrum and other writs maintainable for a Parson or Vicar, for Iuris vtrum. lands given to a Vicarage. AB. Ecclesiastical &c. 46.

18 If the tenant will vouch to warrantie a dead man, the demandant may Voucher. averre that he is dead, &c. AB. Voucher 5.

19 Purveyance for the kings house when he passeth through the countrie, Purveyors. for the kings hoxles and dogs, and for his wars, and castles, shalbe by the owners godd will. AB. Purveyors 5. 10. 15.

20 A Subsidie graunted to the king in respect of his warres in Scotland, A Subsidie. France, and Gascoigne, of the ninth Lambe, the ninth Fleese, and the ninth Sheafe, to bee taken by two yeares. And of Cities and Boroughes the ninth part of their goods. And of Merchants forreiners, and of them that dwell in forrests and walds, and live not of their gains, the fifteenth part of their goods. But the poore bozall people, and they which live by their labour, shal not bee charged. BP.

21 A Subsidie graunted to the king, to be taken in two yeares, of Wool: A Subsidie. fells, Wool-lackes, Leather, and other Merchandize. BP. The customes of a Sacke of wooll, neuer shall be but vi. s. viij. d. The Sacke ought to containe xxvj. Stones, and the Stone iiii. l. AB. Custome 10. Weights 3. Any man that transportheth a Sacke of wooll, shall be bound before the Customers to bring at his returne plate of silver, to the value of two Markes, to the kings Excheange. CB.

Statutes made Anno 14. Edwardi 3. & Anno

Domini 1340.

¶ 1 The king granteth, That the foresaid Subsidie given to him by Parliament, of the ninth Lambe, &c. shall not another time be an example, nor prejudiciall to the Lords and Commons, &c. Neither shall they be charged to aid the king but by common assent of the Lords and Commons in Parliament. And that all the profits rising of the said aid, and of Wards, Mariages, Customes, and Cheates, &c. shall be dispended on the maintenance of the realme, and of the wars of Scotland, France, and Gascoigne, & in no place elsewhere, during the said wars.

2 All Merchants, being no enemies, shall quietly come into the realme, and depart with their goods, paying their Subsidies, Customes, &c. The Franchises and Customes granted to Cities and Townes being saved. Safe conduct.

A Statute for the Clergie made at Westminster 16. die

Aprilis, An. 14. Ed. 3. & An. Dom. 1340.

1. R. 2. 3. ¶ 1 No Spiritual persons goods shall be purveyed for the king, without Purveyance. the consent of the owners. AB. Purveyors 2.

2 The king shall not make title to present to a Church in anothers right, but of voidances happening of such benefices within three yeares next before his presentation or collation, BP. 25. Ed. 3. 2. pro Clero.

25. Ed. 3. 6. 3 No Temporalities of Bishops &c. shall be seized into the kings hands with Temporalities. out good cause. AB. Bishops 9.

4 5 How Bishops Temporalities shall be sold, and who shall have them during the vacation. AB. Bishops 10.

¶ 1 Anno 14. Ed. 3. & An. Dom. 1340. By Statute it was ordained, That England. the Realme of England, and the people thereof, shall not be subiect or obedient France. to the king or kingdome of France.

D ij

¶ 1 Anno

King Edward the third.

- Trial by Peeres.** **Great Officers** ¶ 1 Anno 15. Ed. 3. & Anno Dom. 1341. A Statute was made 15. Paschaz, confirming all former Statutes. And if any thing bee done against the great Charter, or the Charter of the Forest, it shalbe declared the next Parliament, and by the Peeres redressed. No Peere or Officer because of his Office shall loose lands, or goods, or be imprisoned, outlawed, exiled, or put to answer, but by award of the Peeres in Parliament. All great Officers shall be swozne to maintaine the priuiledges of holie Church, and the great Charter. In every Parliament, the third day of the Parliament, the king shall take into his hands the Offices of all his great Officers, and so they shall abide foure or five daies (sauing the Iustices of both Benches, and the Barons of the Exchequer) so that they and all other ministers be put to answer to every complaint. And if default bee found in any of the said Ministers, and hee be attainted in Parliament, by the iudgement of the Peeres, he shall be put out of his Office, and another placed therein. The king shall not meddle with Usurers, but the Ordinarie. Ministers of holie Church shall not be compelled to answer befoze the kings Iustices for penance, testaments, mariage, or other things touching the iurisdiction of the Church. But by another Statute made 1. Octobris, An 15. Ed. 3. the foresaid Statute was repealed, because it was made without the kings consent. EXP.
- Usurers.** ¶ 1 A Statute made An 15. Ed. 3. & An 14. Dom. 1341. expressing certaine condicions or couenants, whereupon the Subsidie granted to the king, An 14 Ed. 3. was giuen him. EXP.
- Subsidie.** ¶ 1 A Statute made Anno 18. Edw. 3. & Anno Dom. 1344. An Exigent shalbe awarded against the kings Receiuers of Wooll, or mony, which detain the same: and against those that transport wooll, being not cokeded, or without custome: and against Conspiratozs and Confederatozs of quarels: and against them that commit Riots in affray of the people, or bring in false money in deceit of the people, if they cannot be found, or brought in to answer by Attachment or Distresse: and not against any other. CB.
- Exigent.**

Statutes made at Westminster Octabis S. Trinitatis

Anno 18. Edward. 3. & Anno Domini

1344.

- Peo Inquiries.** ¶ 1 Commissions of new inquirie shall cease: sauing Indictments of Felonies and Trespasses of Woolls carried out without Subsidies, customes &c. EXP.
- Iustices.** 2 Two or thre of the best reputation in Counties shall be appointed Keepers of the peace by Commission. AB. Iust. of the peace 1. 34. Ed. 3. r. 1. Ed. 3. 16.
- wooll.** 3 Every man, as well stranger as other, may buy wooll. And the sea shalbe open to all Merchants.
- Commissions** 4 Commissions to assay weights and measures, shalbe repealed: and none such shalbe granted. EXP.
- Exigent.** 5 No Exigent shall bee awarded in Trespasse, but where it is against the peace. AB. Exigent 1.
- Money.** 6 Money shalbe made in Poike. And Exchanges shall be in good townes where the king will. CB.
- Confirmation** 7 A Confirmation of the Statute made for Puruepoys, and the Steward and Marshall of the kings house. 5. Ed. 3. 25 10. Ed. 3. 15

The

The Statute of the Clergie made at Westminster Octa-
bis S. Trinit. Ann. 18. Edw. 3. & Anno Domi-
ni 1344.

- ¶ 1 In consideration of a triennall disme given to him by the Clergie, the king doth grant, that no Archbishop or Bishop shall be impeached before the Justices for crime, unless he do command them. EXP. Bishops crime.
- 2 Upon demanding of Clergie, Bigamie shall be tried by the Ordinarie, as Bastardie shall, and not by Enquest. AL. 1. Ed. 6. 12. Bigamie.
- 3 If Prelates, Clerkes beneficed, or religious people, which have purchas- sed lands in Portmaine, be impeached before the kings Justices, & they shew a Charter of Licence, and Proves by an Enquest of Ad quod damnum, by the Kings grace, or by fine, they shall be discharged: and if they cannot, they shall make a reasonable fine. EXP. Portmaine.
- 4 In Commissions to be made for Purveyances, the fees of the Church shall be excepted. AB. Purveyors 2. Prohibition.
- 5 No Prohibition shall be awarded, but where the king hath and ought to have cognizance. AB. Prohibition 2. Purveyance.
- 6 There shall be no more Commissions granted to Justices to enquire of Spirituall Judges, whether they made iust Proves, or excessive, in causes Te- tamentorie, and others. EXP. Spiritual Judges.
- 7 No Scire facias shall be any more awarded to warne a Clerke to answer Dismes in the Chauncerie of Dismes, and to shew why such Dismes should not be re- fozed. CB.
- ¶ 1 The Statute of the oath of the Justices, being made Ann. 18. Ed. 3. & Oath. An. Dom. 1344. AB. Justices of both Benches, &c. 1.
- ¶ 1 The oath of the Clerks of the Chauncerie, made An. 18. Ed. 3. & An. Dom. 1344. And of the Clerks of course.

Statutes made at Westminster 7. die Maij, Anno
20. Edwardi 3. & Anno Domini
1346.

- ¶ 1 The Justices of both Benches, Assise, &c. shall doe right to all men, without regard of letters, writs, or commandements: shall take no fee of any but of the king: nor give counsell where the king is partie. AB. Justices of Assise &c. 1. 2. Justices.
- 2 Barons of the Exchequer shall do right to all men without delay. AB. Justices of Assise &c. 2. Barons of the Exchequer.
- 3 The oath of Justices of Dier and Terminer, of Assise, and Gaole deliv- uerie, and their associats. AB. Justices &c. 2. Justices oath.
- 4 None shall maintaine any quarels but their owne, in disturbance of law Maintenance and hinderance of right. AB. Maintenance 1.
- 5 Lords and great men shall put those out of their service, fees, and robes, which be maintainers of quarels. EXP. Maintenance.
- 6 Justices of Assise shall enquire of the demeanour of Sheriffs, Escheatores, Bailiffs of Franchises, and their vnder Ministers, and of Maintainers, common Embazers, and Jurors, and punish all them which they shall find guiltie. AB. Justices of both Benches 3. J. of Assise.

King Edward the third.

The Statute of Labourers made at Westminster 14.

die Iunij, Anno 23. Ed. 3. & Anno Dom.

1349.

- Who shalbe bound to serve** ¶ 1 Every man and woman able in bodie, under the age of threescore yeres, not living in merchandise, nor exercising any craft, nor having of his owne to live, nor land about whose tillage he may employ himselfe, and not serving another, shalbe bound to serve, if he be required, and shal take the accustomed wages: Or else shalbe committed to the gaole, untill he find suretie to serve. Provided, that Lordes be preferred in their bondmen and land-tenants. *EP. 5. Eliz. 4.*
- Departure.** 5 Labourers or servants retained, shall not depart within their terme, upon paine of imprisonment. And such shall not be retained by another. *EP. 5. Eliz. 4.*
- More wages.** 3 Whosoever giveth or taketh more wages than hath bene accustomed, shal forfeit double so much. *EP. 5. Eliz. 4.*
- Wages.** 4 If any Lord of a Manor hath covenanted to give a servant more wages than hath been accustomed, he shall not be bound to pay. *EP.*
- Wages.** 5 If any Artificer or Workman shall take any more for his labour than had wont to be given, hee shall be committed to the next Gaole. *EP. 5. Elizabeth. 4.*
- Victuals.** 6 Victuals shalbe sold at reasonable prices, and Victualers shall be content with a moderate gaine. And Mayors, Bailiffs, and chiefe Officers, shal inquire of, and punish offenders. *AB. Victuals 4.*
- Beggars.** 7 No man shal give any thing to beggers that are able to labour, upon paine of imprisonment. *EP. 1. Ed. 6. 3.*
- Surplusage of wages.** 8 Artificers and servants which doe take more than hath bene accustomed for their wages, shall pay the surplusage to the Towne where they dwell, towards the discharge of the Tenths and Fifteenes graunted to the king. *EP.*

*13. R. 2. 8.
11. Ed. 4. 8.
25. H. 8. 24*

A Statute of Labourers made at Westminster Octabis

Purificationis, Anno 25. Edward. 3. & An. Domini

1350.

- Wages.** ¶ 1 The yerres and daies wages of servants and labourers, in husbandrie. *EP. 5. El. 4.*
- Threshers.** 2 Threshers wages. Servants shall be sworn twice in the yere before Stewards, Constables, &c. to observe this Statute. None shall goe out of the towne in Summer, where he dwelt in Winter, if he may have service, saving that people of severall Shires and places may in August labour in other countries, and returne. And the offender shalbe committed to the stocks, or the next Gaole. *EP. 5. El. 4.*
- Carpenters.** 3 The day wages of Carpenters, Masons, Tilers, and other Workemen of houses, and of their servants. *EP. 5. Eliz. 4.*
- Shoemakers.** 4 Shoemakers shall sell Shoes and Boots as they were wont. *EP. 5. Elizabeth. 8.*
- Labourers sworn.** 5 Artificers, Labourers, and servants shalbe sworn before the Justices, to do and use their crafts and offices as they had wont to do. *EP. 5. El. 4.*

6 In

6 Justices of Assise shall inquire of and punish the offenders of this Statute: and such Stewards, Bailiffs, and Constables, which doe not present them, and Hostellers, Verbengers, and sellers of victuall, offending. *RP. 5. Elizabeth. 4.*

7 Sherifes, Constables, Bailiffs, Gaolers, or other Ministers, shall not exact any thing of the said servants. *No exaction.*

8 The Justices Sessions shall bee kept foure times in the yeare, viz. at *et. N. Sessions.* *AL. 2. H. 5. 4.* Servants which flee from one countie to another, shall bee committed to prison. *RP. 5. Elizabeth. 4.* *Fugitive servants.*

¶ 1 A Statute made at Westminster Octabis Purificationis, Anno 25. *Foreshines* Ed. 3. & Ann. Dom. 1350. Of those which be bozne beyond the Sea. *AB. Abil-bozne.* *tie 1. 2.*

A Statute for the Clergie made at Westminster

13, die Januarii, Anno 25. Ed. 3. & Anno Dom.

1350.

¶ 1 All privileges granted to the Clergie, Confirmed. The king, nor his heires shall present to a Benefice of anothers right, of any time of his progenitors. *RP.* *Presentment.*

2 A Statute made Anno 14. Ed. 3. 2. touching the kings presentment to a Church in anothers right, repealed. *Presentment.*

3 When the king maketh presentation or collation to a Benefice in anothers right, his title shall be examined. *AB. Incumbent 1.* *Presentment.*

4 All Clerkes Secular and Religious, which shall be convicted before the kings Justices for any Treasons or Felonies, touching other persons, saving the king himselfe, or his royall Maestie, shall be delivered to their Ordinaries *AL. 18. Elizabeth. 6.* *Clerks convicted.*

5 A Clerke shall be arraigned of all his offences at once, and not remanded to the Gaole. *AL. 8. El. 4. & 18. El. 6.* *Arraignement.*

6 A Bishops Temporalities shall not be seised for a Contempt, but he shall make a reasonable fine. *AB. Bishops 9.* *Temporalities.*

7 The Ordinarie may counterplead the kings title for a Benefice fallen by lapse. *AB. Lapse 1.* *Lapse.*

8 Cognisance of voidance of Benefices appertaineth to the Ecclesiasticall Judges. *AB. Ecclesiasticall 5.* *Benefices.*

9 Indictments of extortion by Ordinaries, or their Ministers, must be certaine. *AB. Ordinarie 2.* *Ordinarie.*

A Statute of Clothes made Anno 25. Ed. 3. &

Anno Domini 1350.

¶ 1 Clothes shall be measured by the kings Aulnager, and his deputies, who shall be sworn to execute the office well. The penaltie if he be found in default, or the cloth defective. The length and breadth of cloth shall be according to the Statute of 2. Ed. 3. 14. *AB. Draperie 84.* *Cloth.*

2 Merchant Strangers and Denizens may buy and sell any merchandizes in this Realme without interruption. *AB. Merchants 1.* *Merchants.*

3 Foreshallers of wines, victualls, wares, and merchandizes, being thereof attainted, shall forfeit the things foreshalled, if the buyer hath made gres to the seller: if not, but by earnest, the buyer shall forfeit so much as the goods foreshalled amount unto, after the value as hee bought them, if he have wherof: *Foreshallers.*

¶

9. Ed. 3. 1.
2. R. 2. 1.
19. R. 2. 1.

King Edward the third.

Else shalbe two yeares imprisoned, and moze at the kings pleasure. *AL* 5. E. 6. 14. touching the penaltie.

weares.

4 New weares shalbe pulled downe, and not repaired. *AB*. Weares 2.

45. Ed. 3. 22

The Statute of Purueyors made at Westminster 13. die

January, Anno 25. Ed. 3. & Anno Dom. 1350.

Purueyors.

¶ 1 By what measure the kings Purueyors shall take corn. Victuals, and things purueyed shall be praised, and tallies made thereof. *AB*. Purueyors 16. 17

5. Ed. 3. 2:

10. Ed. 3. 1.

Treason.

2 A declaration (to end the diuersitie of opinions) which offences shall bee adiudged high treason, and which petit treason. *AB*. Treason 1. 7.

Indictor.

3 No indictor shalbe put vpon y enquest of the party indicted. *AB*. Jurors 3.

Suggestion.

4 None shalbe condemned by suggestion, without lawful presentment. *AB*. 28. Ed. 3. 3.

42. Ed. 3. 34

Executors.

5 Executors of Executors shall in some cases haue the same benefit, and charge that the first Testator should haue had. *AB*. Purueyors 2.

Purueyors.

6 The penaltie of a Purueyor that taketh timber in, or about any mans house. *AB*. Purueyors 3.

Foresters.

7 No Keeper of Forest or Chase shall gather any thing by colour of his office, without the owners god will, but that which is due.

Armed men

8 No man shalbe bound to find men of Armes, but by Tenure or grant in Parliament. *AB*. Capitaines 14.

1. Ed. 3. 5:

4. H. 4. 13:

Misel weight

9 Mysel weight shall be excludet, and weighing shalbe by equall ballance. *AB*. Weights 14.

34. Ed. 3. 5:

27. Ed. 3. 10.

Measures.

10 Euery measure shalbe according to the kings Standard. And shalbe striked without heap, saving the rents and farmes of Lords. *AB*. Weights 11.

34. Ed. 3. 6.

Aid.

11 Aid to make the kings sonne knight, or to marie his daughter. *AB*. Aid 3. Ed. 1. 35:

3. Ed. 1. 35:

Money.

12 No person shall take profit of exchanging gold for siluer, or siluer for gold (but the Kings exchangers) vpon paine of forfeiture of the same. *AB*. Money 1.

5. Ed. 6. 19:

9. H. 5. 11.

Money.

13 The money of gold and siluer which now runneth, shall not be impaired in weight or allay.

Indicted.

14 What Proses shal be awarded against the partie which is indicted of felonie. *AB*. Indictments 5.

Sheepe.

15 The penaltie of a Purueyor which taketh moze sheep in the wool for the kings house than be needfull, betweene Easter and the feast of S. John Baptist. *AB*. Purueyors 9.

Montenure.

16 The exception of Montenure of parcell shall not abate the whole Writ. *AB*. Montenure 1.

Exigent.

17 Proses of Exigent shalbe awarded in Debt, Detinue, and Repleuin. *AB*. Exigent 1.

Villinage.

18 Villinage may be pleaded, and a villeine seised, notwithstanding a Libertate probanda be depending. *AB*. Villinage 1.

Protection.

19 By the kings Protection the parties suit shall not be hindered, but his execution. *AB*. Protection 1.

Money.

20 Plat of gold and siluer shal be receiued into the kings Mint by weight, and so shall the mony be returned, and not by number. *AB*. Money 8.

Butler.

21 The Kings Butler shall take no moze wines than shalbe appointed him. *AB*. Butler &c. 1.

43. Ed. 3. 31

Provision.

22 Cuery man that purchaseth provisions of Abbies or Priories, he, his executors & procurators, which do sue & make execution of such provisions, shalbe out

out of the kings protection, and a man may do with them as with enemies of the king and the realme. And he that offendeth against them in bodie or goods shall be excused against all people.

23 The debt of a Lombard flying out of the Realme without agreement, Lombard. with his Cranfons, shalbe answered by the Companie of the Lombards. CB.

¶ 1 The Statute of Prouisors of Benefices, made An. 25. Ed. 3. & Anno Dom. 1350. The king and Lords shall make Collation and Presentation unto Benefices, of their owne, or their auncestors foundation, and not the Bishop of Rome to Aliens, or any of his Prouisors. Prouisors.

¶ 1 The Statute of the forme of leuying of the Tenth and Fifteenes, which the Commons granted to the King, made Anno 25. Edw. 3. The King graunteth to the Commons in aid of the same Disme and Quinzim, all the Fines, Fines, Forfeitures, Amerciaments, and other profits, which bee or shall be leuied or taken of Labourers, Artificers, Regrators, Victuallers, Hostlers, Workemen, and Seruants, as fully as is contained in the last Parliament. And Commissions shall be awarded to certaine people of euerie countie to leuie the same. EXP. B. lictane.

A Statute of Prouisors made at Westminster 26.

die Septembris, Anno 27. Ed. 3. & Anno Dom.

1353.

¶ 1 He shall incurre the penaltie of Præmunire which sueth in a forreine Præmunire. Realme: or impeacheth Judgements giuen in the Kings Court. AB. Præmunire 1.

2 In enerie Pardon of Felonie the suggestion and the suggestors name Pardon: shalbe compzised. AB. Pardon 2.

3 Commissions shall be awarded to Justices learned in the law, to enquire Commissions of the outrages of Hostlers, Regrators, Labourers, &c. and to punish them, and to do right to the king and his people. EXP.

4 The Aulnagers fee of enerie cloth and halfe cloth sold. Cloths put to sale befoze they be sealed, shall be forfeited. AB. Draperie 92. A Subsidie granted to the king of enerie cloth to be sold. EXP. Aulnager.

5 If any English Merchant shall ingrosse or forsell Calcoine wines, or buy them of a Calcoine, to pay in England moze than they be sold for in Calcoine, he shall loose life, member, the wines, and all his goods and cattels. RP. for felonie. 37. Ed. 3. 16. wines.

43. Ed. 3. 3. 6 All Merchant strangers may bring wines into England, to what Port they will, and make thereof their benefit, so that the Kings Butler make purueyance of them when need is, paying theretoze within 40. dates. wines.

7 It is felonie for any English Merchant, his seruant, or other for him, to lye in Calcoine to buy wines, sauing in the Vintage time, and then but in the Ports of Bourdeaux and Baion. RP. 37. Ed. 3. 16. wines.

18. H. 6. 17. 1. R. 3. 13. 8 All red and white wines that shal be brought into England, Wales, or Ireland, to be sold, shal be gauged by the Kings Gaugeors, or their deputies. And if any will not suffer them to be gauged, he shal forfeit the wines. And if default be found in the Gaugeor, that he or his deputie be not readie to execut his office when he shalbe required, or therein commit fraud, or deceit, to the damage of the buyer or seller, he shal pay to the partie grieved his treble damages, lose his office, and be imprisoned, and ransomed at the kings pleasure. AL 28. H. 8. 14. for the penaltie. AB. Weighes 14. winesgauged

The

King Edward the third.

The Statute of the Staple made at Westminster 26.

die Septembris, Anno 27. Ed. 3. & Anno Domi-

ni 1353.

Staple
Townes.

¶ 1 The Staple of Wools, Leather, Woolfels, and Lead, shall be holden for England at Newcastle upon Tyne, Poike, Lincoln, Norwich, Westminster, Canterbury, Cicester, Winchester, Exeter, and Bristow: for Wales at Carmarthen: and for Ireland, at Denelst, Waterford, Cork, and Droghda, and not elsewhere. And all the Wools, Woolfels, Leather, & Lead, bought forth out of the said realms, shall first be carried thither, & shalbe weighed there by the Standard. And euerie Harpler of wooll so weighed shalbe sealed with the seale of the Maioz of the Staple: and after shal be carried to seuerall Port Townes, and there againe weighed by the Customers. An Indenture shalbe made betweene the Maioz of the Staple, and the Customers of all the wools, woolfels, leather, and leade, which shall be brought to the Staple. There shall be paid to the king for custome, by Denizens, of a sacke of wooll, halfe a marke, of 300. woolfels halfe a marke, of a last of leather a marke, for that they haue passed. And by Aliens, for a sacke of wooll x.s. for 300. woolfels x.s. for a last of leather xx.s. and for euerie tow of lead iij.s. And then the same Merchandizes shall be carried by the Merchants strangers which bought them, to any parts beyond the sea, where they please, and not by Englishmen, Welshmen, nor Irishmen. And the said Maioz and Customers shall take an oath of all the said Merchants strangers, that they shal hold no Staple beyond the sea of the same merchandize.

28. Ed. 3. 15
42. Ed. 3. 1.
14 R. 2. 1.
12. R. 3. 15.

Merchant
Strangers.

¶ 2 All Merchants strangers (being no enemies) shall freely with their merchandizes resort into this Realme, and dwell therein, and returne with their merchandizes at their pleasures. And nothing shall bee taken of them against their wils, but the kings customes.

wooll shal not
be transported
by the Eng-
lishmen, &c.

¶ 3 All Merchants aswel Aliens as Denizens may buy wools, fels, leather, and lead, through the kings dominions, so that they bring them to the Staples. It shalbe Felonie for any English, Welsh, or Irish Merchant, to carrie any wools, fels, leather, or lead, out of the said Realms: or by couin to procure any Merchant Alien to carrie the same vnder his owne name: or to send or keepe a seruant or attorney beyond the sea, to surney the sale of the said wools, &c. or to receiue money comming by the sale thereof: or to take money or merchandize out of the Realme, for merchandizes sold in the Staple. **III.** 38. Ed. 3. 6. for the felonie.

36. R. 3. 11.
14. R. 2. 5.

No puruey-
ance in the
Staple.
A carrier.

¶ 4 None going vnto, or returning from the Staple, shall be disturbed by the R. Purueyours, nor any other. Neither shall any of their goods or carriages bee taken. And euerie carrier returning from the Staple, shal haue a Bil vnder the seale of the Maioz of the Staple, testifying that he serueth the Staple.

Cognisance
mits.

¶ 5 None of the Iustices of the R. Bench, Common Bench, in Cire, or of Aulse, nor other Iustices, shall take cognisance of those things that belong to the Staple.

No Officer
shall meddle.

¶ 6 No Marshall or other of the Kings Officers shall meddle in the places where the Staples bee holden, nor enter into any house to execute their offices.

Licence.

¶ 7 If any Licence shall be granted to any English, Welsh, or Irishman, to carie wools, fels, leather, or lead, forth of the Realme, the same shall bee void.

8 The

8 The Mayor and Constables of the Staples shall have iurisdiction and cognisance within the Townes where the Staples bee, of people, and things touching the Staple. All Merchants and their people of the Staple shall bee ruled by the Law Merchant, of all things touching the Staple, and not by the Common Law, nor by customes of Cities or Townes. They shall not implead or be impleaded before the Justices of the Benches in plea of Debt, Covenant, or Trespasse, touching the Staple: but shall implead all persons, as well not of the Staple, as of the Staple, which shall be found there. And they shall bee impleaded before the Mayor and Justices of the Staple, of all pleas and actions wherof the cognisance pertaineth to the Officers of the Staple. All contracts and covenants made betwixt Merchant and Merchant, or other, wherof the one partie is a Merchant, or minister of the Staple, wherther the same was made within the Staple or without, and also of Trespasses done within the Staple to Merchants or ministers, by other, or by any of them to other, the plaintiff shall chuse whether he will sue his action before the Justices of the Staple, by the law of the Staple, or in other place at the Common Law. But in pleas touching any of the Kings house, the Steward or his Lieutenant, and the Marshals of the same house, shall be with the Mayor of the Staple, to see that right bee done to the parties, if they will be there. And Pleas of Land and Freehold shall bee at the Common Law. And if Merchants or their people being in the Staple, doe commit Felonie, or bee slaine, robbed, or maimed by any persons, the Mayor of the Staple, and other sufficient Justices shall bee assigned to heare and determine the same Felonies and Wapheims within the Staple, according to the common Law. And if a triall bee to bee made before the Mayor of the Staple, betweene two strangers, the Enquest shall be of strangers. And if both parties bee Denizens, the triall shall bee by Denizens: And if the one partie be a Denizen, and the other an Alien, halfe the Enquest or prooffe shall bee of Denizens, and the other of Aliens. *28. Ed. 3. 13
8. H. 6. 29.* *15. R. 2. 9.* *9. H. 3. 25.
9. H. 5. 8.
11. H. 7. 4.* *16. Ed. 3. 7.* touching hearing and determining of Felonies.

Jurisdiction
of the Staple

Pleas of land

Felonies com-
mitted within
the Staple.

Trials in the
Staple.

9 The forme and effect of a Recognisance for the recouerie of debts, acknowledged before the Mayor and Constables of the Staple. *AB. Statutes 4.* *Recognisance*

10 There shall be one weight, one measure, and one yard, through all the land, as well out of the Staple as within. And weighing shall be by equal balance. *AB. Weights 1. 14.* *Weight and measure.*

11 It shall be felonie to forestall, buy, or give earnest for any merchandizes, before they come to the Staple, or to the Port where they shall be discharged, or to go into the ship for that cause. *Forestalling.*

12 It shall be felonie to sell wools, fells, or leather to any Scottish man, or to be caried into Scotland. *Scotland.*

13 Merchants robbed on the sea of their goods, which be brought after into the kings dominions, shall have remedie to recouer them: and so shall they have, where, the ship breaking upon the sea, their goods be cast upon land. *Robbed on the sea.*

14 Merchants may bring in gold or silver in money, or bullion to the kings Exchanges, and carie forth as much new money, but no old sterling. *Money.*

15 Indentures shall be made betweene carriers of wools, fells, leather, and lead, to the Staple by fresh waters, or by armes of the sea, and the Bailiffs of Towns where they load them in ship. And also the said Bailiffs shall take oaths and sufficient suretie of them, and the Partners, that they shall carie the said merchandize to the Staple, and discharge them there before they enter the sea, otherwise it shall be felonie in all the said parties. *Indentures.*

King Edward the third.

- The rent of houses.** 16 In everie towne where the Staple shall be, houses shalbe let at a reasonable rent, according to the ordinance of the Maior & Constables of the Staple, and of foure discret men of the best of the same towne, who shalbe swoyne to make a lawfull tare.
- Another's debt.** 17 A Merchant stranger shall not be impeached for another's trespassse, or debt, whereof he is not debtoz, pledges, or mainpernoz, saving in case of the lawe of Parque: Merchants of enemies countries shall haue convenient time by Proclamation to sell their goods, and to depart.
- Parque.** 18 The people of Ireland and Wales may bring their wools, fells, leather, and lead, after they be customed and cocketed there, to any of the Staples of England, and not pay therfoze any other custome or subsidie. And if they conuey them to any other place it shalbe felonie.
- Ireland. Wales.** 19 None shal lose his goods by the offence of his seruant, vnlesse he do it by the Masters commaundement. Speedy iustice shalbe done to Merchants from day to day, and from houre to houre.
- Seruant's.** 20 Because Merchant strangers bee taken into the kings protection, they shall haue present iustice for any griuances done to them in the countrie out of the Staple. And for the said wrongs the Merchants shall recouer double damages, and the king shall haue as much.
- Speedie iustice.** 21 In everie towne where the Staple is ordained, there shall bee a Maior chosen everie yeare by the Comminaltie of Merchants, as well strangers as denizens, and also two Constables, which Maior & Constables shal haue power to keepe the peace, and to arrest offendours in the Staples for debt, trespass, or other contract, & to imprison & punish them after the lawe of the Staple. And other officers in the same townes, or nere thereunto adioining, shall be attending and assisting vnto them, to redresse any thing amisse there.
- Maior & two Constables.** 22 In everie place where the Staple shall be kept, there shall be a certaine number of Correctors, as wel of strangers as of priues, to make & recozd bargaines betweene buyers & sellers. But they shall meddle with no merchandize so long as they continue in that office.
- Correctors.** 23 The Maior and Constables of the Staples shalbe swoyne in the Chancerie to doe that which pertaineth to them. And all porters, packers, winders, workers, & other labozers of wools, and all correctors and other officers of the Staple shalbe swoyne befoze the Maior to execute their offices without fraud. And all Merchants Aliens, & denizens comming to the Staple, shall be swoyne befoze the Maior and Constables, to be iustified by them, & to maintaine the Staple, and the lawes and customes of the same.
- Officers oathes.** 24 Two Merchants Aliens shall be chosen by Aliens to be associate to the Maior and Constables of the Staple, to see that iustice bee done to Merchants aliens. And if any question shall rise betweene them, the tenor thereof shall be sent to the Chancelloz of England and the Kings Council, to be presently determined. And two Englishmen, two of Lombardie, & two of Almaine, shall be chosen to be Mediators of questions betweene sellers and buyers.
- Associats.** 25 If any Merchant or other shall make any confederacie, conspiracie, or euill device, which may turne to the disturbance or defeating of the Staples, or any thing pertaining vnto them, it shalbe felonie.
- Mediators.** 26 Credit shall bee given to the letters of the owners of merchandizes brought into this Realme, testifying the value of the same merchandizes: Or else to their oathes.
- Confederacie.** 27 They which contrarie to the Proclamation haue caried their wools, fells, or leather, beyond the sea, befoze this statute made, shall forfeit the same, and all their other goods, and be ransomed at the Kings pleasure.
- The value.**
- Offences befoze this Stat.**

28 A Confirmation of the Liberties of the Staple notwithstanding other Liberties mens franchises, and yet saving all mens rights in Faires, Markets, Fairs, confirmed. Dives, Leets, &c.

¶ 1 An ordinance of the fees of the Paiozs and Constables of the Staple, Paiozs and made Anno 27. Edw. 3. The Paioz of the Staple at Westminster shall have Constables fees. verely for his fee C. l. And either of the Constables there ten marks. The Paioz of Poike, Kingston upon Hall, Poiozwich, and Winchester, every of them shall have xx. l. and every of the Constables of the said places C. s. The Paiozs of Newcastle upon Tyne, Chichester, and Greter, shall have x. l. and every of the Constables there five marks. And if any of the Paiozs and Constables above named refuse the office, he shall pay to the Company so much as his fee shall amount unto.

Statutes made at Westminster 28. die Aprilis, Anno 28.

Ed. 3. & Anno Dom. 1354.

- ¶ 1 A Confirmation of all the Statutes made and used. Confirmation
27. P. 3. 26. 2 Lords of the Marches of Wales shall bee attending to the Crowne of L. Marchers. England, and not to the Principalltie of Wales. AB. Wales 1.
9. H. 3. 29. 3 No man shall be disseised of his land, imprisoned, nor condemned, with Justice. out his answer. AB. Accusation 1.
5. Ed. 3. 9. 4 How Escheatozs and others shall answer the king the mesne Rates of Helne those lands which were taken into his hands by the death of his tenant. AB. Rates. Liurie 13.
3. Ed. 1. 10. 5 No pyon shall be carried forth of the Realme. AB. Iron 9: Iron. 6 Who shall be Coroners, and by whom, and where they shall bee chosen. Coroners: AB. Coroners 1.
14. Ed. 1. 7. 7 No man shall be Shirife above one yeare. AB. Shirifes 4. Sherife. 42. Ed. 3. 9. 8 A writ of Attaint shall be granted as well upon a Bill, as upon a writ of Attaint, Trespas. AB. Attaint 22.
5. Ed. 3. 7. 9 No Writ of Commission shall be directed to a Shirife, to charge an En Indictment quest to indict any.
- 10 The Paioz, Shirifes and Aldermen of London, shall punish & redresse Disorders in errors, defaults, and mispisions, notoriously used in the said city, upon pain to London. forfeit to the k. the first time 1000. marks, at the second time 2000. marks, & at the third time the Liberties of the citie. And this shall extend to all Cities & Boroughes where such defaults be used and not corrected. AL. 1. H. 4. 15.
13. Ed. 1. 2. 11 Fresh suit shall be made after robbers from towne to towne, and from Freshsuit. countrie to countrie. AB. Huy & Cry 1.
27. Eliz. 13. 12 Purveyances made to the kings use under xx. s. shall be presently paid Purveyance. for, and all above within a quarter of a yeare. AL. 2. H. 4. 14. 20. H. 6. 8.
27. Ed. 3. 8. 13 The warrantie of packing of wools shall be wholly put out. An Enquest Packing. shall be de medietate linguæ, where an Alien is partie. AB. Jurors 29. No For Trials. reiners ships shall be compelled to arrive in England, or to tarrie there, but may depart at pleasure with their goods.
8. H. 6. 19. 14 Wools shall be shewed at the Staple every day in the week, saving Sun Shewing of day, & solemne feasts. But it shall be felonie to shew it in any other place within Wools. thre miles of the Staple, saving that every man may shew and sell his wool of his owne growing, in his house, or elsewhere.
20. R. 2. 4. 15 The Staple of Westminster shall begin his bound at Temple Barre, Bounds of and extend to Luthill. In other cities & towns the bounds of the Staples shall the Staple. be within the walls: And in cities or townes not walled, the bounds shall be through all the citie or towne.

King Edward the third.

Statutes made at Westminster 22. die Aprilis, An.

31. E. 3. & Anno Domini 1357.

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|-----------------|--|--|
| Confirmation | ¶ 1 The great Charter, and the Charter of the Forest, shall be observed and executed. | |
| Weights. | 2 No Wools shall be bought by fraud to abate the prices of them. Balances and Weights according to the Standard of the Erchequer shall be sent to all Sherifes: And other mens shall be made according to them. AL. 11. H. 7. 4. | |
| Estreits. | 3 A man charged by Estreits with detaining of felons goods, layeth the fault in another. AB. Estreits 3. | |
| Extortion. | 4 Extortion in Bishops Officers for prouing of Testaments. AL. 21. 3. H. 5. 8. H. 8. 5. | |
| Wine. | 5 The contents of a Tunne of Wine. A vessell of Wine sold bngauged shall be forfeit to the king. AB. Wines 13. | 18. H. 6. 17.
1. R. 3. 13.
28. H. 8. 14. |
| Labourers. | 6 The Lords of Franchises which haue the same by Charter, shall haue the issues, fines, and amerchiements of Labourers, forfeited. EP. | |
| Labourers. | 7 The Statute of Labourers shall be of force in London, and elsewhere. EP. 5. Eliz. 4. | |
| Refuse Wools. | 8 There shall be no refuse of wools, but of cot, garreine, and villaine flæces. AB. Wools 10. All wools, fells, and leather, bought in the countrey, shall be brought to the Staple, and shall remaine there xv. daies at the least: And those which cannot be sold there within that time, shall be carried to the Ports ordainned for the Staple to be carried ouer. CB. | 13. R. 2. 9. |
| Transporting | 9 The Kings Councell vpon cause may deferre the transporting of wools. AB. Wools 11. | |
| Vidualers | 10 Who may rule or reforme the defaults of Vidualers in London. AB. 7. R. 2. 11: Viduals 1. | |
| Administrators. | 11 Who may commit the administration of the goods of him which dyeth intestate. The benefit and charge of the Administrators. AB. Administrators 1. | 21. H. 8. 5. |
| Errour. | 12 The Lord Chancellor and Treasurer shall examine complaints of erroneous Judgements given in the Erchequer. AB. Error 2. | 31. Eliz. 1. |
| Pardon. | 13 The kings pardon to the commons of the escapes of felons, and their goods not estreited, amerchiements not affeired. And a fiftene granted to the king in regard thereof. EP. | |
| Fifteene. | | |
| Escapes. | 14 Escapes of felons, and cattels of felons and fugitiues, and Escapes of Clerkes conuict, shall be leuied as they shall fall. AB. Escape 2. | |
| Turne. | 15 At what time the Shyrife shall hold his Turne. AB. Turne 1. | 9. H. 3. 35. |

The Statutes of Herrings made at Westminster 22.

die Aprilis, Anno 31. Ed. 3. Anno

Dom. 1357.

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|------------------|---|
| Sale of Herring. | ¶ 1 Herrings shall not be sold or bought on the sea: and at what time they shall bee sold and bought. AB. Fish, &c. 16. |
| Parnmouth faire. | 2 The order and time of byring and selling of Herring at the Faire of great Parnmouth. The hundred of Herrings shall be accounted by six score, and the last by ten thousand. The Wardens of the Cinque Ports shall gouerne the |
| Cinque ports | |

the Faire of great Parmouth, according to a composition made between them, and confirmed by King Edw. 1. R.

3 The Chaunceloz and Treasurer taking to them the Justices, and other of the kings Councell, may take order for the buying and selling of Stockfish of S. Botolph, Salmon of Warwick, and of wines and fish, that the King and people may be better served then they haue bene. CB. Orders for sale of fish.

¶ 1 Another Stat. for fish made the same An. 31. Ed. 3. The Ships called Doggers or Land-Ships of the Hauen of Blackney, shall discharge their fish within the same Hauen, onely betweene Wenoze and Hogfleet, upon paine of imprisonment at the Kings pleasure, and forfeiture of the same fish. None of the same fish shall be carried forth of the Ship, untill the owner of the Ship and the Merchant shall be agreed of the price by cleare day. R. Blackney Hauen.

2 Loch-fish shall be chosen or tried but in three parts, viz. Lob, Ling, & Cod: Lochfish. and what part thereof the Masters of the Ships, and what part the Mariners shall haue. At the beginning of Blackney Faire, a price shall be set of Dogfish, which shall hold during the faire. No man shall buy nets, hookes, or other instruments pertaining to fishing in Dorset, but owners, Masters, and Mariners of Ships that vse fishing, upon paine of imprisonment, to be ransomed at the Kings pleasure, and to forfeit the things so bought. CB. Blackney Faire. Fishing engines.

Statutes made at Westminster 23 die Ianuarij, Anno

34. Ed. 3. & Anno Dom. 1360.

2.E.3.6.
18.E.3.1.
13.R.2.7.
36.Ed.3.6.
7.R.2.8.

¶ 1 Who shall be Justices of Peace, and what authoritie they shall haue. Justice of peace. AB. Iustices &c. 1. 18.

2 There shall be no purueiance made but for the King, Queene, and Kings eldest sonne. AL. 23. H. 6. 14. Purueiance.

3 For small things purueyed for the Queene and the Prince, payment shall be presently made, and for greater things within a moneth or by weeks. CB. Purueyance.

28.Ed.1.9.
42.Ed.3.11.
25.Ed.3.9.
27.E.3.10

4 What sort of people shall be returned upon euerie Iurie. AB. Iuries 1. Juroz.

5 Auncell weight shall be put out. Buying and selling shall be by equall ballance. AB. Weights 14. Weights.

25.Ed.3.10.

6 All measures, viz a Bushell, halfe Bushell, Pecke, Gallon, Pottell, and Quart, shall be according to the Kings Standard. And euerie measure shall be stricken without heape, sauing the termes of Lordz. AB. Weights 1. Measures.

3.Ed.1.37.

7 An Attaint will lie as well in plea real, as personall. AB. Attaint 12. And it shall be granted to the pooze without fine, and to others upon easie fine. Attaint.

8 A Juroz taking reward to giue his verdict shall be one yeare imprisoned, and make fine. AL. 38. Ed. 3. 12. Touching the penalte. Juroz.

9 Lordz of townes, may imprison Carpenters, Masons, & other labourers, servants, & Artificers xv. daies, if they will not be iustified, and then commit them to the next Gaole, untill they will iustifie themselves. EP. 5. Eliz. 4. Labourers.

10 Labourers and Artificers departing from their seruice into another countrie after a Capias, Exigent, and Outlarie awarded against them, shall be fugitive, burned in the foreheads with the letter F. EP. 5. Eliz. 4. Labourers.

11 If a Labourer, servant, or Artificer doe depart to a Citie or Borough, upon request the Maior or Bailifes shall deliuer him, upon paine to pay to the King ten pounds, and to the partie 100. shillings. EP. El. 4. Fugitive.

12 There shall be no forfeiture for Treason of dead persons not attainted, etc. AB. Forfeiture 3. Forfeiture.

3.H.8.2.

13 By what sort of people, in which place, and in what maner an Escheator shall take his enquests. AB. Escheator 9. Escheator.

King Edward the third.

- Trauerse.** 14 Trauerles of Offices found befoze Eschetors vpon alienation oꝝ death of the Kings tenant, shall be tried in the Kings Bench. AL. Trauerse 1.
- Tenures.** 15 Those alienations which the tenants of King Hen. 3. and other Kings befoze him did make to hold of themselves, confirmed. But the Kings Pꝛerogative shall be saued foꝝ his Grandfathers, his Fathers, and his owne time. S. 13. Ed. 1. Q. Emp. terrarum.
- Non-claims.** 16 Non-claims of fines shall hereafter be no Barre.
- Ireland.** 17 All Merchants, Aliens and Denizens, may come into Ireland with their Merchandises and Witailes, without fine, oꝝ ransome, and so depart sauing to the King his auncient customes and duties.
- Ireland.** 18 People as well religious as others, which haue their inheritance and possessions in Ireland, may carrie their Cozne, Cattell, and Witaile into Ireland, and bzing them againe into England, paying to the King their customes.
- Custome.** 19 No Custome oꝝ Subsidie shall be paid foꝝ Canuas to packe wool in. AB. Custome 10.
- Cozne.** 20 A restraint of transpozting of Cozne, vnlesse it bee to Calice oꝝ Gascoine. EP.
- Confirmatio.** 21 A confirmation of a libertie granted by a foꝝmer Pꝛoclamation to Denizens to carrie wool ouer the Sea. EP.
- Hauke.** 22 How he shall vse a Hauke that taketh it bp. AB. Haukes 2. 37. Ed. 1. 3. 9
- Herring.** ¶ 1 The Oꝛdinance of Herring made Añ. 35. Ed. 3. and Añ. Dom. 1360. All persons may buy Herring in the Faire time at great Harmonth openly, and not priuily, at such pꝛices as shall be agreed vpon. No man shall enter into a bargaine of Herring vntill the first Chapman hath done with it, Neither shall any man increase in pꝛice vpon an other, vpon paine to foꝝfeit to the king the double of his pꝛoffer.

Statutes made at Westminster Quidena Michaelis,

Anno 36. Ed. 3. & Anno Dom. 1362.

- Confirmation** ¶ 1 A confirmation of the great Charter, the Charter of the Foꝝest, and other Statutes.
- Purueance.** 2 No Purueance shall be made but foꝝ the King and Queene, foꝝ the which readie payment shall be made as it may bee sold in the market. The name of Purueioꝝ changed into buyer. Things purued shall be appealed. AB. Purueyours 1. 16. 17. 20. 23. H. 6. 14. 4. Ed. 3. 3. 25. Ed. 3. 1.
- Purueioꝝ** 3 The penaltie of a Purueioꝝ which shall receiue a reward to spare one, oꝝ to charge another. AB. Purueyours 14.
- Commissions** 4 Commissions shall be awarded to inquire of Purueioꝝs behauiour. AB. Purueyours 18.
- Purueioꝝ.** 5 None shall keepe any moze hoxses foꝝ the King then be assigned vnto him. None of the Kings house shall take but by the consent of the owners, and shall pay theretoze readie money. AB. Purueyours 17. 28. E. 1
- Chatoꝝ** 6 No Subiects Chatoꝝ shall take any thing against the owners consent. AB. Purueyours 1. 7. R. 2. 8. 23. H. 6. 14.
- Jurisdiction of the Staple.** 7 The Waiors and Constables of the Staple shall haue conisance onely of Debts, Couenants, and Contracts, and of all other pleas touching merchandise betweene Merchants knowne, (but not of felonie.) Merchants Aliens may sue befoze the Waiors of the Staple oꝝ at the common Law. 27. Ed. 3. 8.
- Chapleines.** 8 No man shall gine to a Parish Wyllt foꝝ his yeares wages aboue iij. l.

ig. p. bj. s. big. d. o. els his board and xxvj. s. diij. d. upon paine to pay as much to the King. AL. 2. H. 5. 2

9 Whosoever findeth himselfe grieved with any of the foresaid, or other Chancery Statutes, shall have his remedie in the Chancery. EP.

4. Ed. 3. 14.
27. Ed. 3. 3.

10 A Parliament shall be holden once everie yeare. AB. Parliament 1. Parliament.
11 No Subsidie or other charge shall be imposed upon wools by any with- out assent of Parliament. Merchants Denizens may passe with their wools, aswell as foraines. wools.

12 Justices of Peace shall yearly keepe foure Quarter Sessions, at the N. Sessions. dayes and times of ec. AL. 2. H. 5. 4. for the times.

28. Ed. 1. 18
8. H. 6. 16.
1. H. 8. 10.

13 An Escheator shall have no fee, nor commit wast in wards lands. AB. Escheator. Wards 23. Lands seised upon an Enquest taken before an Escheator shall be letten to farme to him which tendereth a Traverse. AB. Parents 26.

14 The fines and amerciaments of Artificers, Labourers, and servants, fines. shall be to the use of the Commons, and distributed betweene them.

15 Pleas shall not be pleaded in the French tongue, as they have been, but Pleading in the English: And they shall be inrolled in Latin. AB. Pleading 1.

16 The Kings Pardon of divers offences. And Charters of pardon shall be made to all the Counties of England, and to all severall persons that will Pardon. demande the same, without making fine, or paying for the Seale. EP.

Statutes made at Westminster Octabis Sancti Michaelis, Anno 37. Ed. 3. & Anno Dom.

1363.

1 The great Charter, the Charter of the Forrest, and other Statutes Confirmation shall be observed.

9. H. 6. 4.

2 Idempnitare nominis shall be granted upon the wrongfull seizure of an o- ther mans lands or goods. AB. Shirifes 23. Idempnitare nominis.

3 The severall pices of a Capon, henne, pullet, & goose. CB.

4 A Clerke of the Remembrance of the Eschequer shall be assigned to sit together with the Clerke of the Pipe, &c. AB. Eschequer 1. Doultre. Eschequer.

5 Merchants shall not ingrosse merchandizes to enhance the pices, nor use but one sort of merchandize. EP. 38. E. 3. 2. Merchants.

6 Handycraftsmen shall use but one Districte, upon paine of halfe a yerre imprisonment and fine. But women may use severall woikes. EP. 5. Eliz. Due occu- pation.

4. Q.

2. H. 6. 14.
18. El. 14.

7 Goldsmiths shall make their woike of good sterling. Every Goldsmith Goldsmiths master shall have a marke. None shall make white vessel and gild. AB. Gold &c. 8.

8. 9. 10. 11. 12. 13. 14. 15. The diet and apparell of servants, and the appa- rel of gentlemen, Esquires, Knights, Merchants, Citizens, Burgesses, Clerks, Carriers, Ploughmen, Shepheards, Daiesmaides, &c. And the pices of their severall garments by the yard or in the whole. Clothiers shall make Clothes sufficient of the said pices. And Drapers shall buy and purvey them. And for default of such Clothes this statute shall not be infringed. EP. 24. H. 8. 13. Apparell.

16 A Repeale of so much of the Statute of 27. E. 3. 5. & 7. as doth make the offences therein specified touching Wines felony. Enquiritie shall be made perely in Gascoyne of the Couchars of England, which lie there, to buy wines in the vintage time contrarie to the Statute of 27. Ed. 3. 7. CB. Wines.

17 In what case a writt shall not be abated by exception of cognizance of Villenage. villenage. AB. Villenage 3.

E ij

18 The

King Edward the third.

- Suggestion.** 18 The order of pursuing a Suggestion made to the King. AB. Suggesti- 38.Ed.3.9.
on 1.
Hauke. 19 How each shall use a Hauke that he taketh vp. AB.Haukes 2. 34.Ed.3.22.

Statutes made at Westminster Octabis Hillarij.

Anno 38. Ed. 3. & Anno Dom. 1363.

- Confirmation** ¶ 1 The great Charter, the Charter of the Forest, and other Statutes shalbe obserued.
- Merchandize** 2 All Merchants may buy all maner of Merchandizes, and carrie them
Gold, Silver. whither they will: saving that English Merchants shall not transport woolls 27.Ed.3.3.
and felles. None shall carrie out of the Realme Gold or Silver, but the victu- 9.Ed.3.1.
allers of fish. 5.R.2.2.
- Fines.** 3 Fines to be taken before Justices shall bee in the presence of Pledges, and the Pledges shall know the summe of their fine before their departing.
- Bonds.** 4 Penall bonds in the third person shall be void. Q. if in the Courts out of the Realme.
- Wager.** 6 Any man may wage his lawe against Londoners papers. AB. Wa- 7.Iac.22.
ger 2.
- Transport** 6 A Repeale of so much of the Statute of 27.Ed.3.3. as maketh it felonie
wools. for any English man to carrie over the Sea woolls, felles, or Leather, and a confirmation of the residue of the said Statute.
- Staple.** 7 The Staple shall be in England. A Confirmation of the Statute of the Staple made Anno 27.Ed.3. with the Declarations, Additions, and Modifications thereof: Notwithstanding any Licences, or that Statute &c.
- Custom.** 8 A Ship must not be lost for a small thing therein not customed. AB. Customs 10.
- Suggestion** 9 The punishment of him which proueth not his suggestion made to the K. 37.Ed.3.18.
AB. Suggestion 1. 17.R.2.6.
- Wines.** 10 A confirmation of former statutes made for Merchants of Wines.
Wines. 11 All Merchants Denizens, that bee not Artificers, may goe into Gascoine to fetch Wines. And Gascoyne Merchants may bring Wines into England.
- Jurors.** 12 The punishment of a Juror taking reward to give his verdict, and of Embrazors. AB. Jurors 5. 34.Ed.3.8.
5.Ed.3.10.

Other Statutes made Anno 38. Ed. 5.

& Anno Dom. 1363.

- Prisoners.** ¶ 1 They which obtain Citations from Rome against any of this Realme, for causes, the cognizance whereof pertaineth to the King, and his Court: or for impetration of Benefices of the Kings, or other mens gifts, shall incurre the penaltie ordained for Prisoners, Anno 25. Ed. 3. AL. 13. Eliz. 1. touching the penaltie.
- Excommunic.** 2 They which being suspected of any of the said offences, that cannot be attached by their persons, if within two Moneths after warning they doe not appeare before the king Justices to answer, shall incurre the penaltie of the statute of 27.Ed.3.1. AL. 13. Eliz. 1.
- Excommunic.** 3 He which doth commit any of the offences aforesaid, shall bee put out of the Kings protection, and punished according to the Statute of Anno 27. Ed. 3.1. AL. 13. Eliz. 1.

4 He that upon malice doth falsly pursue any upon this Statute, shall be punished at the Kings pleasure, and make amends to the partie grieved. The King and all the Parliament house agreed to impeach the offenders, and to resist them.

Statutes made at Westminster 1. die Maij, Anno

42. Ed. 3. & An. Dom. 1368.

¶ 1 The great Charter, and the Charter of the Forest confirmed. And if Confirmation any Statute be made to the contrarie, it shall be repealed.

2 The Kings Pardon, graunted in the 30. yeare of his raigne, confirmed. Pardon. EP.

25. E. 3. 4. 3 None shall be put to answer an accusation made to the King, without pre. Accusation. sentment, or some matter of Record. AB. Accusation 1.

4 To what sort of people Commissions of inquire shall be graunted. AB. Commissions Commissions 2.

5 An Escheator shall haue twentie pounds Land at the least, and execute Escheator. his Office in his proper person. AL. 1. Henr. 8. touching the value of the Land.

6 The Statute of Labourers and Artificers confirmed. EP. 5. Eliza. Labourers. beth 4.

7 Londoners and none other shall sell victuals by retails. But no pre. Victuals iudice shall be done to Aliens, which haue Fraunchises by the Kings Charters. EP.

8 English Merchants shall not passe into Gascoyne to fetch Wines, nor buy Gascoyne Wines, before they be landed in England. AL. 43. E. 3. 2.

14. Ed. 3. 4. 23. H. 6. 8. 9 Escreates sealed shall be shewed to the partie indebted, and totted. AB. Escreates. Escreates 1. No Shirife, Under-shirife, or Shirifes Clerke shall abide in his office above one yeare. AB. Sherifes 4.

23. Ed. 3. 10 Children borne beyond the Seas within the Kings Dominions, shall inherit in England. AB. Abilitie 1.

6. H. 6. 1. 11 Copies of pannels shall be deliuered to the parties sixe daies before the Justice Session. AB. Assise 8. Copies of Pannels.

Statutes made Anno 43. Edwardi 3. & Anno

Domini 1369.

27. Ed. 1. ¶ 1 Whereas the Staple of Wools, Fells, and Leather hath beene holden at Calice since the first day of March, Anno 37. Ed. 3. Now the Staple of Calice shall be wholly put out: And the Staples of Wools, Fells, and Leather shall be holden in these places vnder written, viz. at New-castle, Kingston upon Hul, S. Botolph, Portsmouth, Quinsborough, Westminster, Chichester, Winchester, Exeter, and Bristow. And the Staples of Ireland and Wales shall be at the places where they were first obtained. All Merchants, Aliens, and Denizens may goe through England, Ireland, and Wales, and buy and sell Wools, &c. and other Merchandizes. But no Wools &c. shall be transported, untill they be brought to the Staples, and there weighed, cocketted, and customed. And the same Wools, Fells, and leather may be transported by Aliens, but not by Denizens. CB. The Staple removed.

2 CB.

King Edward the third.

- Wines.** 2 English, Irish, and Welch men, being not Artificers, may passe into Calceigne to fetch Wine there, so that they find sureties to buy a hundred Tannes of their owne goods, and to bring the same into England, Ireland, or Wales, and not elsewhere, notwithstanding the Statute of 42. Edw. 3. 8.
- Kings butler.** 3 The Kings Butler, or his Liutenants, shall take no more wine then he is commanded. AB. Butler &c. 2. 25. Ed. 3.
- Pardon.** 4 The Kings generall pardon of bert and benison to all men, saving to the officers of his Forrests, Chales, and Parkes. EP.

Statutes made at Westminster 3. die Martij,

Anno 45. Ed. 3. & Anno Dom.

1371.

- Confirmation** ¶ 1 The great Charter, and the Charter of the Forrest, shall be observed in all points.
- Weares.** 2 A Confirmation of the Statute of 25. Ed. 3. 4. concerning pulling downe of Weares. And the penaltie of him that setteth up againe the same Weares, or doth enhance them, AB. Weares 2.
- Silva Cedua** 3 A prohibition shall be graunted where a suit is commenced in a spirituall court for Silva cedua. AB. Prohibition 5.
- Imposition.** 4 No Imposition or Charge shall be set upon Wools, Felles, and Leather (saving the Custome and Subsidie graunted to the King) without assent of Parliament.

Statutes made Anno 47. Edwardi 3. & Anno

Domini 1373.

- Cloth.** ¶ 1 The length and breadth of cloth of Ray, and cloth of colour. AB. Dra- 17. R. 3. 7.
- Scottish money.** 2 The Scottish Coat shall be currant for thre pence, and lesse money according to that rate. CB

Statutes made at Westminster Quindena Hillarij,

Anno 50. Ed. 3. & Anno Domini

1376.

- Church.** ¶ 1 The holy Church shall have all her liberties in quietnesse, without impeachment.
- Confirmatio.** 2 The great Charter and the Charter of the Forrest shall be firmly kept in all points.
- Pardon.** 3 Because this is rightfully the yeare of the Kings Jubilee, therefore hee doth pardon all his Subiects (that will pursue their Charters before S. John Baptist) the suit of his peace, for all manner of felonies, Outlawries, &c. Except Murders &c. But Sir William Wickham, Bishop of Winchester, shall not enjoy the benefit of this pardon. EP.
- Consultation.** 4 No Prohibition shall be allowed after Consultation duly graunted. AB. Prohibition 9.
- Arrest.** 5 None shall arrest Priests carrying the sweet body of Iesus Christ to sick persons, or attending divine service in Churches, Churchyards, and other places dedicated to God. AB. Arrests 1. 1. R. 3. 19.

2.R.2.3.
13.Eliz.5.
7.Ed.4.3.
3.H.7.1.

6 Fraudulent assurances of lands or goods to deceive Creditors, shall be Fraud.
void. AB.Fraudulent &c. 1.

7 Woollen Cloathes shall not be carried forth of the Realme, nor Subsidie Cloth.
demanded for them before they be fulled.

8 No subsidie or Aulnage shall bee payed of clothes called Freese ware, Irish Cloth.
made in Ireland or in England of Irish Wooll: because they containe not the
length and breadth ordained by the Statute.

Statutes made at Westminster Quindena Hilarij,

Anno 1. Richardi 2. & An. Dom.

1377.

1 Holy Church shall have all her Rights, Liberties, and Franchises, Church.
without blemish. The great Charter, (which at the request of the Confirmation
Commons were read in Parliament) the Charter of the Forest, and all other
Statutes not repealed, shall be observed.

2 The peace shall be kept, and Justice shall bee indifferently done to all
men.

14.Ed.3.1.

3 The Statutes made in the time of King Edward the third touching Purveyors.
Purveyours, shall bee observed. Prelates shall have their actions of Tres-
pas against Purveyors offending, and recover treble damages. AB. Purvey-
ors 2.

1.Ed.3.14.
20.E.3.4.

4 The penaltie of those which doe maintaine any quarrels. AB. Mainte-
nance 1.

5 The punishment of a Clerke of the Exchequer making proces for a debt Exchequer.
that is payed. AB.Exchequer 2.

6 Commissions shalbe awarded to enquire of the misbehaviour of villeins Villeines.
to their Lords. CB.

7 There shall bee no giuing of Liveries for Maintenance. AB. Liue-
ries 1.

8 In what cases the Protection, cum clausula volumus, is not allowable. Protection.
AB. Protection 2.

3.H.6.9.
11.H.6.3.
1.H.7.1.

9 A Feoffment of Lands or gift of goods for maintenance, shall be void. Maintenance
AB. Force 2. An Assise is maintainable against the Werno of the profits of
Lands. AL. 27.H.8.10.

10 A Confirmation of the Pardon graunted by R.Ed.3. in the 50. yeare of Pardon.
his raigne. EP.

6.H.8.18.
23.H.6.8.

11 None that hath bene Sherife, shal againe be Sherife in the same Coun. Sherife.
tie within thre yeares. AB.Sherifes 4.

7.H.4.4.
13.Ed.1.11.

12 The penaltie of the Warden of the Fleete, if he suffer a prisoner there Escape.
being by iudgement to goe out of Prison by Bayle or Bailon. AB. Escape 3. Debt to the
Confession of a debt to the King, to delay anothers Execution. AB. Accomp- King.
rants &c. 50.

13 Ecclesiasticall Judges nor other shall bee indicted or imprisoned for Spirituall
suites in any Spirituall Courts for Tithes or other duties. AB. Ecclesia- Courts.
sticall 47.

14 If in an Action of goods taken away, the defendant maketh his title Tithes.
for Tithes due to his Church, the plaintife shall not have a generall auerre-
ment. AB.Tithes 42.

30.Ed.3.5.

15 The penaltie for arresting of Priests in doing Divine service. AB. Ar- Arrest.
rest 1.

Statutes

King Richard the second.

Statutes made at Gloucester 21. Octobris

Anno 2. R. 2. & Anno Dom. 1378.

- Merchants.** ¶ 1 Merchants strangers and denizens may buy and sel all things vendible within this Realme. And the penaltie of the disturbers of them. AB. Merchants 1. 9. Ed. 3. 1.
25. Ed. 3. 2.
11. R. 2. 7.
- Foreshallers.** 2 A Confirmation of the Statute made 25. Ed. 3. 3. against foreshallers. AL. 5. Ed. 6. 14.
- Merchants.** 3 Merchants of Aene, Venice, Cataloigne, Arragon, and other Countreies of the West may sell their Marchandizes, & buy others, so that they carie them towards the West, and not towards the East. CB.
- Mariners.** 4 If Mariners which be retayned to serue the King on the Sea, and haue receiued wages, doe depart without Licence, they shall pay double of that which they haue receiued, and be one yeare imprisoned. AL. 5. Eliz. 5. for the penaltie.
- Newes.** 5 The penaltie for telling slanderous newes of the Pères or great Officers of the Realme. AB. Newes 1. 3. Ed. 1. 33.
12. R. 2. 11.
- Riots.** 6 Pope Urban shalbe taken for lawfull Pope.
- 7 Riots, routs, and vnlawfull assemblies, made by some people of Wales and other Countreies adioynning, to seuerall euill purposes, shall be repressed. HP. 2. R. 2. 2.
- Labourers.** 8 All Statutes and Ordinances made of Artificers, Labourers, and Servants shall be put in execution. HP. 5. El. 4.

Other Statutes made at West. 15. Palchæ the same

Anno 2. R. 2. & Anno Dom. 1379.

- Confirmation** ¶ 1 The Lawes of holy Church, the great Charter, the Charter of the Foresh, and all the good Lawes of the Land shall bee kept, and put in execution.
- Repeale.** 2 A Repeale of the Statute of 2. Rich. 2. 6. Touching Riots, Routes, &c. in Wales.
- Fraudulent assurance.** 3 If Debtors do make fraudulent feoffements of their Lands, or deeds of their goods, to auoid their Creditors, and after doe resort to priuiledged places the same shalbe voidable. AB. Fraudulent &c. 1. 50. Ed. 3. 6.
3. H. 7. 4.
13. Eliz. 5.

Statutes made at Westminster 16. die Ianuarij, An.

3. R. 2. & Anno Dom. 1379.

- Confirmatio.** ¶ 1 A confirmation of the Liberties and Franchises of holy Church, and of all the good Lawes and Statutes not repealed.
- Palneger.** 2 The penaltie of the Palneger, which setteth his seale to cloth tacked together, or faultie, or which wanteth lawfull assise. AL. 11. H. 4. 6.
- Benefices of Aliens.** 3 It was ordained by the King, the Lords Tempozall and Commons, That if any shall take in ferme any Benefices of the Church of England of Aliens, or shall by erchange or otherwise conuey any money or wares vnto any of them, he shall incurre the penaltie contained in the Statute of Priuileges, made Anno, 27. Ed. 3. No Bishop or other person shall meddle by the way of Sequestration, or in other manner, with the fruits of any benefice giuen to an Alien. AB. Premunire 2. 3.

Statutes

Statutes made at North-hampton 4. die No-

uembri, Anno 4. Rich. 2. & Anno Dom.

1380.

18.H.6.17.
1.R.2.13.
28.H.8.14.

¶ 1 All the vessels of Wine, Honey, and Oyle, brought into Eng. Gauging land, Ireland, or Wales, which be not gauged, shall bee forfeited. AB.

Wines 13.

¶ 2 The Kings Pardon of escapes of Felons and Clerkes conuict, to them Pardon that will sue their Charter out of the Chaucerie. EP.

Statutes made at Westminster Crastino Anima-

rum, Anno 5. Rich. 2. & Anno Dom.

1381.

¶ 1 The Liberties and Franchises of holy Church the great Charter, Confirmation the Charter of the Forest, and all other good Statutes heretofore made, and not repealed, confirmed: And specially the Statutes of Puruicioz, made in the time of King Edw. 3.

2.H.4.5.
9.Ed.3.1.
12.R.2.8.
13.Eliz.3.
6.R.2.8.
4.H.7.10.

2 No man shall transport gold or silver without the Kings Licence. AB.

Money 3. No man shall depart this Realme (certaine persons excepted) with- Depart the out the Kings Licence. EP. 4. Iacobi 1. Realme.

3 None of the Kings subiects shall carrie forth or bring into this Realme Ships, and Merchandize, but onely in shippes of the Kings allegiance, vpon paine of forfeiture of the same. 1.Eliz. 13.

4 The prices of severall sorts of Wines sold, in grosse, or by retails. AL. Wines. 28.H.8.14. And how much the price shalbe encreased for carriage. And the au- thortie of Maiors, Baylives of Cities, Boroughes, &c. to sell unreasonable any wilfull mens wines. No sweet Wine shall be sold by retails. AL. 6. Ri- chardi 2.7.

5 The Kings Pardon granted to those that repelled or tooke reuenge of Pardon his Rebels. EP.

6 Panmissions, Obligations, Releases, and other bands, and all entries Durese into lands, by distresse, or compulsion, in the time of the late tumult, shall be void. EP.

15.R.2.2.
8.H.8.9.

7 The penaltie where any doth enter into Lands, but where his entrie is Forcible en- given by the Law, or then with force. trie.

6.R.2.4.

8 They which find themselves grieved with their Charters, Releases, ob- writings de- ligations, and other deeds, burned, destroyed or elained in the late Insurrecti- stroyed. on, shall put their complaint distinctly vnto the King, and his Councell, and make sufficient prooofe of the said Paniments lost and of the forme and tenour of the same. And such remedie shall be provided, as shall seme best, sauing the Law. EP.

9 Cuerie man that is impeached in the Exchequer, may plead in his owne Exchequer discharge, without suing any Writ, or other commandement. AB. Exche- quer 3.

10 The couenants of those which shall be retained to serue the King in his Couenants for the Kings Warren, or Embassies, shall be committed to writing, and sent into the Ex- service. chequer. AB. Exchequer 4.

¶ 11 The

King Richard the second.

- Clerkes of parcels.** **Nihil.** 11 The accounts in the Exchequer shall be shortly heard and made then they had wont.
- 12 Two Clerkes shall be assigned to make parcels of Accounts in the Exchequer. AB. Exchequer 5.
- 13 Accounts of Nihil shall be put out in the Exchequer. And hee that will sweare that hee oweth nothing to the king, shall be discharged. AB. Exchequer 6.
- Exchequer.** 14 The Clerke of the Pipe, and the two Remembrancers shall be sworne for the entrie of Writs of the great and private Seale everie Terme. And to make Schedules and Certificates &c. AB. Exchequer 7.
- Livorie.** 15 When a iudgement of Livorie cometh from the Kings Bench into the Exchequer by Murrinus, the Remembrancer shall cause the suit to cease without making new iudgement, or proces. 33.H.8.22.
- Clerkes fees.** 16 The fee of a Clerke of the Exchequer for making a Commission or record of Nisi prius, shall be but two shillings onely, as it had wont to be.

Other Statutes made at West. 20. die Aprilis

Anno 5. Rich. 2. & Anno Dom. 1382.

- Marchants strangers.** ¶ 1 Marchants strangers of all Countries (being in amitie with the K.) may come into, continue, and depart forth of the Realme at their pleasures. 9.H.3.30. 9.Ed.3.1 25.E.3.24
- Merchandise.** 2 Woolls, Felles, and Leather may be carried into any Countrey (saving France) by any Marchants Aliens, or Denizens. Some money shall be abated to them that will pay their Customes and Subsidies before hand. EP.
- Subsidie.** 3 A Subsidie graunted to the King, so that the money be wholly imploied upon the safe keeping of the Sea. EP.
- Parliament.** 4 Every person to whom it belongeth, shall upon Summons come to the Parliament. AB. Parliament 1.
- Heresies.** 5 Commissions shall be directed to Shirifes and other, to apprehend such as shall be certified by the Prelates to be Preachers of Heresie, their fautors, maintainers, and abettors, and to hold them in strong prison, until they will suffice themselves, according to the Law of the holy Church. EP. 1. Ed.6.12. 1.Eliz.1. 2.H.4.15. 2.H.5.7. 1.&2.P.& M.8.

Statutes made at Westminster Octabis Michaelis,

Anno 6. Rich. 2. & Anno Dom. 1382.

- Confirmation of Statutes.** **Proces.** ¶ 1 The Liberties of the holy Church, the Stat. of Magna Charta, Charta Foresta, and all other Statutes not repealed, shall be duly observed.
- 2 Actions of Debt &c. shall be commenced in the Counties where the contracts were made. AB. Proces 1.
- Assaunce.** 3 In what Courts Writs of Assaunce, called Wicountels shall be pursued. AB. Nufance 1.
- Exemplification.** 4 Deeds that were before this time inrolled in the Chancery, either bench or exchequer which were toyne or imbeastled in the late insurrection, being duly exemplified under the Kings great Seale, shall be of that effect, as the same deeds should have been. EP. 5 R.2.8.

11.R.2.11. 5 Iustices of Assise and Gaole delivrie shall hold their Sessions in prin. Sessions.
cipall Townes &c. AB. Iustices of Assise &c. 6.

6 The penalties of both the parties, where a woman ravished both consent. Rape.
AB. Rape 3.

7 Swet wines may be sold at the prices that wines of Calcoign and Wyne wines.
shalbe sold, and not above, upon paine of forfeiture of the same. Notwithstanding
ding the Statute of 5.R.2.4. Al.28.H.8.14.

14.R.2.6, 1.El.11. 8 An alteration of the Statute of 5.R.2.3. restraining the carrying forth Shippes.
of bringing in of Merchandizes, but onely in English ships, where no Eng-
lish ships are to be had.

12.Ed.2.6. 9 No Victualer shall have or execute any iudiciall office in any Citie, Bo- Victualer.
rough, Towne, or Port of the sea, but where no other sufficient person may be
found to exercise the same, in which case yet during the time of his office hee
shall abstaine from victualing, upon paine of forfeiting the victuals so sold. Al.
3.H.8.8.

14.H.6.6. 10 Aliens being in amitie with the King and the Realme, which bzing in Victualers.
11.R.2.7. victuals, may sell them in grosse, or by retails. Ab. Victuals. 2.

11 Hostes in Cities, Boroughs, Towns, and places upon the Sea coasts, Hostes:
shall not imbrace or forestall Herrings, or other fish or victuals, under the co-
lour of any Custome, Priviledge or Charter, or be any impediment to victual-
lers to sel their victuals. Fishmongers of London shal not buy sea fish or fresh Fishmongers.
fish to sell againe, but Eeles, Luces, and Pikes. EP. 7.R.2.11.

11 The Mayor of London, and all other chiefe officers of cities and townes Officers othe
corporate, upon their new creations shal be swozne to observe the aforesaid or
dinances, made for Fishmongers & Victualers. EP. 7.R.2.11.

13 The Kings Pardon after the late insurrection, to his subiects (certaine Pardon.
excepted) whereof one of them did let William Wolworth, Mayor of London,
to shut the gates of the citie against the Rebels, EP.

Other Statutes made at Westminster the same Anno.

6. Ri. 2. & Anno domini 1383

1 Another more ample Pardon made by the King to his subiects, and Pardon.
with fewer exceptions. EP.

2 He that will attempt any suit for any trespass done him in the late insur- Suits.
rection, shall begin it before 15. Ju. next comming, or else hee shall bee for ever
barred. EP.

3 They which can prove by witnesses, that they came not willingly, but by Insurrection.
compulsion, to doe hurt in the time of Insurrection, shalbe discharged of any
actions of Trespas pursued against them. EXP.

Statutes made at Westminster 28. die Octobris, An.

7. R. 2. & Anno Domini 1383.

1 Holy Church shall enjoy all her Liberties and Franchises, as she hath Church.
done in the time of the kings Progenitoys.

2 The great Charter, the Charter of the Forest, & all other Statutes not Confirmation
repealed, confirmed.

3 Jurie for a Trespas within a Forest, shall give their verdict, where Forest,
they receive their charge. AB. Forest 1.

f

4 Done

King Richard the second.

- Forest.** 4 None shalbe taken or imprisoned by the Officers of the Forest, without indictment. AB. Forest 2.
- Wagabonds.** 5 A Confirmation of the Statute of 5. Ed. 3. 14. made against Roberds men and Draw-latches. The Justices of Assise, Justices of Peace, Sherifes, Papors, Baylifes, Constables, &c. shall examine Wagabondes, and bind them with sureties to their good behaviour: Or in default thereof commit them to the Gaole, and there to receive such punishment as shall seeme good to the Justices of Gaole delivrie by the Law. EP. 39. Eliz. 4.
- Stat. Winton.** 6 The Statute of Winchester confirmed. And every Sherife shall proclaim 28. Ed. 1. 17 it foure times in the yeare. AB. Sherifes 31.
- Dist. prius by a Juroz.** 7 A Nisi prius shalbe graunted at the suit of any of the Juroz, as well in the Erchequer, as before any of the Justices, if the partie afters the great distresse thre times served doe refuse it Q. an CB.
- Purueyance.** 8 No subiects Chatoz shall take any victuals or cariage against the owners consent. AB. Purueyors 1. 36. Ed. 3. 6. 23. H. 6. 14.
- Cloth.** 9 All Statutes confirmed, made against deceit found in Clothes to be sold, and against Aulnagers and Collectors of the Subsidie of the said Clothes. And he that findeth default in any of the said Clothes, contrary to former Statutes shall have the third part of the forfeiture. EP. 5. Ed. 6. 6.
- Assise.** 10 Assise of Kent going forth of Lands in severall Counties. AB. Assise 7.
- Fishers.** 11 A Repeale of the Statute made Anno 5. & 2. R. 2. 11. touching Fishers of London, Victuallers, Winteners, &c. 31. Ed. 3. 10.
- Alien.** 12 No Alien shall purchase any benefice of the Church within this Realme 3. R. 2. 3. 1. H. 5. 7.
- Benefice.** or occupie the same without the Kings licence. AB. Præmunire 4.
- Ride armed.** 13 No man shall ride in harneis within this Realme, nor with Launcegaies which be clearely prohibited. AB. Armour 6. 2. Ed. 3. 5. 20. R. 2. 11.
- Attorney.** 14 They which shall depart the Realme by the Kings Licence, may make generall Attorneys. AB. Attorneys 2. 13. E. 1. 10. 27. Ed. 1.
- Maintenance** 15 A Confirmation of the Statute of 1. Ed. 3. 14. 4. Ed. 3. 11. & 1. R. 2. 4. or dained against Maintenance and Champertie.
- Scotland.** 16 Whofoener shall carry or send any Armour or Victuall into Scotland, without the Kings licence, shall forfeit the same, and the ships, carts, and horses, which doe carry them. EP. 4. Jac. 1. 15. R. 2. 7.
- Damages.** 17 The Painpernozs shal satisfie the plaintife for his delay by the discretion of the Judges, where the defendant keepeth not his day upon mainprise. EP.

Statutes made at Westminster Craffino

Martini, Anno 8. Richardi 2.

& Anno Domini

1894:

- Confirmation** ¶ 1 All the Liberties of holy Church, the great Charter, the Charter of the Forest, and of all other Statutes not repealed, confirmed. 13. H. 4. 2.
- Justices of Assise.** 2 No man of Law shall be Justice of Assise or Gaole Delivrie in his owne Countrey. AL. 33. Henric 8. 24. The Chiefe Justice of the Common Bench shalbe assigned to take Assises, and delivie Gaoles. But the chiefe Justice of the Kings Bench shall do as he had wont to do by the space of an hundred yeares before.

3 None

3 None of the Iustices of eyther Bench, or Barons of the Exchequer shall take any fee or reward, but of the King, nor shall give counsell where the king is partie: Or in any plea depending before him, upon paine of losse of his Office, and making fine and ransome to the King. *EP. 9. R. 2. 1.*

Iustices of the Benches.

4 The penaltie if a Iudge or Clerke doe make a false entry of a plea, rase a Roll, or change a Verdict, whereby any person is disinherited. *AB. Records 6.*

A Record falsified.

Statutes made at Westminster 21. die Octobris.
Anno 9. R. 2. & Anno Dom. 1385;

¶ 1 All former Statutes not repealed, confirmed: saving the Statute Confirmatio, of 8. R. 2. 3. Concerning Iustices and Barons, which shalbe repealed.

2 Willeynes flying into places enfranchised, and suing their Lozds. *AB. Vil. Willeynes. leines 2.*

3 He in the Reuerfion shall have a Writ of Error or Attaint upon a iudgment given against the particuler Tenant. *AB. Error 1.*

Error. Attaint.

4 The triall shalbe by the Ordinarie, whether a Pzior be datife and removable, or perpetuall. *CB.*

Pzior datife.

2. H. 4. 23

5 Ecclesiasticall persons taken in the Parshalle of the Kings house, shall pay such fees as others doe, and none other. *AB. Marshall 6.*

Priests.

¶ 1 A Statute made Anno 10. R. 2. & Anno Dom. 1386. Giving Commission to certaine great Councelloz and Noblemen, to enquire of, and refozme diuers abuses in the Realme. *EP. 21. R. 2. 2.*

Commission.

Statutes made at Westminster Crastino Purificationis, Anno 11. Ri. 2. & Anno Dom. 1387.

¶ 1. 2. 3. 4. 5. 6. The Attainder of diuers Noblemen and others of high Treason, and the confiscating of their Lands and goods. And the acquiring of certaine others which did subdue them. *EP. 21. R. 2. 12. Anno 1. H. 4. confirmed.*

Attainder.

16. R. 2. 1

7 A confirmation of the Statute made 9. Ed. 3. 1. & 25. Ed. 3. 2. authorizing all Merchants, Aliens, and Denizens to buy and sell within this Realme all things vendible, without interruption.

Merchants.

8 All Annuities, and other things, given or graunted by the King, his Father, or Grand-father, to any persons, with this clause, Quousq; pro statu suo aliter duxerimus ordinandum, shalbe void, if the same persons haue after accepted any thing for the King, his Father, or Grand-father. *EP.*

R. Patents.

9 No Imposition or Charge shalbe put upon Wools, Felles, or Leather, other then the Custome and Subsidie granted to the king in this Parliament. *EP.*

Imposition.

2. Ed. 3. 8.

10 The Kings Signet or priue Seale shall not be used in pzeidices of the Justice, Realme, nor in disturbance of the Law. *AB. Iustice 1.*

Justice.

11 The keeping of Assises in good Townes, referred to the consideration of the Chancelor and Iustices, notwithstanding the Statute of 6. R. 2. 5. *AB. Iust. of Assise &c. 6.*

Assise.

King Richard the second.

Statutes made at Canterburie 9. die Septembris,
An. 12. R. 2. & An. Dom. 1388.

- Confirmatio.** ¶ 1 Holy Church shall haue all her Liberties and Franchises, the great Charter, the Charter of the Forest, and all other Statutes not repealed shalbe obserued.
- Officers.** 2 No man shalbe placed in any office for affection, neither any that doth laboꝝ for it, but the most sufficient men. AB. Offices 1.
- Servants.** 3 No servant vpon paine to be put in the stocks, shall depart out of the Hundred where he last dwelled, or goe in Pilgrimage without Licence vnder the Kings Seale. Which Seale shalbe kept by some good man of the hundred to be appointed by the Iustices. EP. 5. Eliz. 4.
- Wages.** 4 The seuerall wages of seuerall sortes of servants in Husbandrie. EP. 5. 4. H. 5. 4. Eliz. 4.
- Husbandrie.** 5 He or she that laboureth in Husbandrie, vntill twelue yeares of age, shal not after be put to any handycraft. EP. 5. Eliz. 4.
- Armour.** 6 No servant in Husbandrie, or Labourer shall weare any Buckler, Dagger, or sword, &c. AB. Armor 2. But shall vse Bowes and Arrowes, and leaue all vnlawfull games. EP. 33. H. 8. 9. 11. H. 4. 4.
- Beggars.** 7 Euery person that goeth a begging, and is able to labour or serue, shalbe set in the stocks, except Religious people and Heremites. Schollers of the Vniuersitie that goe a begging, shal haue letters Testimonial of their Chauncelors. EP. 1. Ed. 6. 3.
- Trauaillers.** 8 They which trauaile forth of the Realme, shall not doe it without Testimonials. 5. R. 2. 1.
- Labourers.** 9 The Statute of Labourers and servants shalbe executed within Cities, Boroughes, and Franchises. Gaolers shall receiue offenders committed to prison, without letting them to Bayle, or taking any fee. EP. 5. Eliz. 4.
- Ju. of peace.** 10 Where shalbe but six Iustices of peace assigned in euery Countie, with the Iustices of Assise. How many Sessions of the Peace they shall yearely hold, and for how long time: And what wages they shall haue. AB. Iustices of Peac. 5. 6. 2. H. 5. 4.
- Pewes.** 11 The punishment of him which telleth false newes of the Deeres or great Officers of the Realme, and cannot finde him which spake the wordes. AB. Newes 1. 3. Ed. 1. 13. 2. R. 2. 5.
- Parliament.** 12 Lords or Spirituall persons purchasing Lands contributoꝝ to the expences of the Knights of the Parliament, shalbe contributoꝝ to the same expences. AB. Parliament 11.
- Infection.** 12 If any shall cast intrayles of Beasts, dung, or other corruption into any ditch, water, or other place, neere to a Citie or Towne, to infect the Aire, or breed diseases: He that findeth himselfe grieved therewith, shall haue a writ to cal him befoꝝe the Chaunceloz, by whose discretion he shalbe punished.
- Cloth.** 14 A Confirmation of the Statute made 47. E. 3. 1. Touching the length and bredth of clothes of Ray, and clothes coloured. AB. Dsaperie 1.
- Provisoz.** 15 If any of the Kings subiects shall goe or send out of the Realme to procure a Benefice within the Realme, without the Kings Licence, he shalbe out of the Kings Protection, and the Benefice shalbe void. CB.
- Staple.** 16 The Staple shalbe remoued from Spidoleborough to Calice. AL. 14. R. 2. H. 6. 4. 2. 1.

Statutes made at Westminster 16. die Septembris,

Anno 13. Rich. 2. & Anno Domini

1389.

- ¶ 1 A confirmation of the Statute made 25. E. 3. Touching the exami-
nation of the Kings title to a Benefice, when he presenteth in anothers right. Presentation.
And the Kings Presentee shall not be received, untill he hath recovered by
4.H.4.23 Law. AB. Incumbent 1.
- 2 It appertaineth to the Constable of England to have Cognizance of con-
tracts touching deeds of armes, and of warre out of the Realme, and of things Constable of
touching warre within the Realme, which may not be determined by the coun-
mon Law. And if the Constable and Marshall hold plea of any thing determi-
28.Ed. 1.3.
33.H.8.12. nable by the common Law, a priuie Seale shall be directed to them to surcease,
untill it be discussed by the Kings Councell, if the matter do appertaine to that
Court.
- 3 The Steward and Marshalls Court and authoritie shall not passe xij.
miles from the Kings lodging. AB. Marshall 3. Marshall.
- 4 The duty of the Clerke of the Market of the K. house. AB. Clerke &c. 1. Clerke of the
5 Within what thing only the Admirall and his Deputie shall meddle. AB. Market
Admirall 1. Admirall.
- 6 There shall be but xxx. Serieants at Armes, who shall meddle with no-
thing but touching their office: And they shall doe no extortion. Serieants at
Armes.
- 7 Iustices of Peace shall be assigned of the most sufficient knights, Esquires, Iustices.
and men learned in the Law, and shall be sworn to put in execution all statutes
touching their offices. AB. Iust. of Peace 1.4.
- 8 An Hostler shall not make hore-bread, but Bakers shall doe it, and the Hostler.
weight shall be reasonable, according to the price of Cozne. And he shall sell hay
and oates at a reasonable price. AB. Inholders 2.
- 9 There shall be one weight and one measure throught the Realme, except in weight.
the county of Lancasser, where the measure hath been used to be greater. None
shall buy or sell wools but at riig. l. the Stone, or make any refuse of wools, but
Cot, Care, and Wellein. Good packing, cocketting of wools. AB. Weights 1.3.
Wools 10.
- 10 Cogware and Kendall clothes may be made of such length and breadth Clothes.
as they haue been, notwithstanding any former Statute. S. 7. lac. 16.
- 11 No plaine cloth of the counties of Somerset, Gloucester, Dorset, or Bxi. Tacked cloth.
stow, tacked, or folded, shall be put to sale befoze they be opened, that the buyers
may see them. But the Merchants which buy them, may sold them together. AB
Draperie 87.
- 12 No Shomaker shall be a Tanner, nor Tanner a Shomaker. EP. 4. H. Shomaker.
4.35.
- 13 None shall hunt but those which haue sufficient lining. AB. Hunters 1. Hunting.
- 14 There shall be no Bands of the Double in the Exchequer for the Kings Exchequer.
debt. AB. Exchequer 8. Bands.
- 15 The Kings Castles and Gaoles which were wont to be ioyned to the Gaoles.
bodies of counties, and be now seuered, shall be reioyned.
- 16 In what case the protection Quia profecturus, or Quia moratur, shall be al- Protection.
lowed, and in what not. And in what it may be repealed. AB. Protection 3. 4.
- 17 Where he in the reuerfion may be received, in a suit commenced against Receit.
the particular tenant. AB. Receit 3.
- 18 Upon a false verdict given befoze the Maioz and Bailifes of Lincolne, Lincolne.
3.H.5.5. by

King Richard the second.

- Attaint.** by any Misse, Jurie, or Enquest, the party which findeth himselfe grieved, may have an Attainte in the Kings Bench or Common place. And the Sherife shal returne forreines of the County of Lincolne, without sending to the franchise of the same Citie. R.
- Salmons.** 19 A confirmation of the Statute of 13. Ed. 1. 47. Touching the prohibiting of Salmons to be taken certaine times of the years. AB. Fish 1.
- Passage.** 20 None shall passe out of the Realme without the Kings Licence, but at the Ports of Dover and Wlmmouth, saving Merchants and Souldiours. And saving such as passe into Ireland. 9. Ed. 3. 8. 4. Ed. 4. 10.

Other Statutes made at Westminster 16. die

Januarii, Anno 13. R. 2. & An. Dom. 1389.

- Warden.** ¶ 1 In a Pardon of Murder, Treason, Rape, &c. the offence committed shalbe specified. AB. Pardon 3. The forfeiture of him, at whose suit such a Pardon is obtayned. EP. 16. R. 2. 6.
- Wrouisours.** 2 The Statute of Wrouisours made 25. Ed. 3. confirmed. And if any doe accept a benefice of the Church, contrary to the said Statute, he, his Receivers, Procurators, Potaries, Exccutors, and Summoners shalbe banished out of the Realme. AL. 13. Eliz. 2. touching the penaltie.
- Wrouisours.** 3 If any bring or send within the Realme any Summons, Sentence, or Communication against any person for the cause of making motion, assent or execution of the said Statute of Wrouisours, he shall lose lands, goods, and life. AL. 13. Eliz. 2. viz. made Treason. 2. H. 4. 4.

Statutes made at Westminster 12. die Nouembris,

Anno 14. Richardi 2. & An. Dom. 1490.

- The Staple.** ¶ 1 The Staple shalbe remoued from Calice to those towne in England which be named Anno 27. Ed. 3. 1. Euery Alien that bringeth Merchandise into this Realme, shall find sureties to the Customers, to bestow halfe the value thereof in the commodities of this Land. CB. 43. Ed. 3. 12. 12. R. 2. 16. 2. H. 6. 4.
- Merchants. Exchange.** 2 For euery Exchange to be made by Merchants, they shalbe bound in the Chancerie, to buy within three months after, commodities of the Land, to the value of the thing exchanged, upon paine of forfeiture. EP. 11. H. 4. 8. 9. H. 5. 9.
- Staple.** 3 In euery place where the Staple is, the officers shalbe first swozne to the King, and then to the Staple.
- Wool.** 4 No Denizen shall buy any Wools, saving of the owners of the Sheepe, or Tythe Wool, but in the Staple. Neither shall he regrate Wools or other Merchandise of the Staple. AB. Wools 1.
- Transporting.** 5 No Denizen shal carry Wool, Fels, Leather, or Lead out of the Realme, upon paine of forfeiture thereof, but only Strangers. CB. 27. Ed. 3. 3. 31. Ed. 3. 11.
- Fraights.** 6 English Merchants shall freight only in English Ships, so that the owners of them take reasonable for their freight. CB. 5. R. 2. 3. 4. H. 7. 10.
- Time.** 7 Tin shall passe out of the Realme only at the Port of Dartmouth. EP. 15. R. 2. 8.
- Gauging.** 8 No person shalbe impeached for not gauging of Kenish Wines. AL. 18. H. 6. 17. 1. R. 3. 13. Sed Q.
- Aliens.** 9 Merchants Strangers repaying into this Realme, shalbe courteously vsed. AB. Merchants 1. 9. H. 3. 30. 5. E. 4. 1.
- Customer.** 10 No Customer or Controller shall haue any Ship of his owne, nor his office, but at the Kings pleasure. AB. Customes 21. Offices 3. 17. R. 2. 5. 1. H. 7. 13.

- 11 In every Countie there shalbe big. Justices of Peace. The Justices Just. of peace.
wages and esteits. AB. Just. of P. 7.
12 The groat, halfe groat, peny, and halfe peny of Scotland, shalbe halfe so Scottish
much of English money. CB. Money.

Statutes made at Westminster Craffino Anima-
rum, An. 15. R. 2. & Anno Dom. 1391.

- ¶ 1 A confirmation of all good Statutes not repealed.
2 The dutie of Justices of Peace where any forcible entrie is made into forcible entrie
lands. AB. Force 2.
3 In what places the Admirals Jurisdiction doth lye. AB. Admirall 2. Admirall.
4 There shalbe but big Bushels of Cozne striked to the Quarter. AB. Measure.
Weights 3.
3 It is Mortmaine if a spirituall person doth take the profit of land, wherof Mortmaine.
another is seised to his vse: or if any lands be imploied to a Churchyard, or to a
Guild, or to the vse of a Corporation. AB. Mortmaine 1. 3. 4.
4. H. 4. 13. 6 In all Appropriations of Benefices there shalbe provision made for the Appropriat.
Pooze, and a Vicar. AB. Ecclesiasticall &c. 33.
7 Armour, cozne, and victuals, may be carried to Warwicke, notwithstanding Warwicke,
the Statute of 7. R. 2. 16. which Statute of 7. R. 2. is RP. 4. Iac 1.
8 A Repeale of the Statute of 14. R. 2. 7: provided against the carrying of Cynne.
¶ In forth of the Realme but at Dartmouth only.
23. H. 8. 9. 9 The penaltie of the Waioz of the Staple if he do receiue any recognizance Statutes.
for the reconery of a debt, otherwise then is limited by the Statute of 27. Ed. 3
9. AB. Statutes 4.
10 No Fuller or other person shall buy within the Counties of Surrey, Cloth,
Sussex, and Southampton clothes, called Gylford clothes, befoze the same be
fulled, fully performed in his nature, and sealed, vpon paine of forfeiture of the
same. RP. 5. Ed. 6. 6.
52. H. 7. 21. 11 Girdlers may worke their girdles with white mettall. RP. 1. Iac. 25. Girdlers.
16. R. 2. 2. 12 No man shalbe compelled to answere for his frechold, befoze the coun- frechold.
cell of any Lord. AB. Freehold 1.

Statutes made at Westminster Otabis Hilla-
rii, Anno 16. R. 2. & Anno Dom.

1392.

- ¶ 1 No Merchant Stranger shall buy or sell with an other Merchant Merchants:
Stranger to sell againe within the Realme. Neither shall any Merchant Fran- Aliens.
ger sel any Merchandise by retaille, but victuals. They shall sel wines & spices
by whole vessells and Bales. No Alien shall carrie any spicerie forth of the
Realme after it is brought in, vpon paine of forfeiture thereof. Q. for the vse.
15. R. 2. 12. 2 He shall forfeit xx. l. which doth compell any man to answere for his free- frechold.
51. H. 3. 22. hold, befoze the counsell of any Lord or Lady. AB. Freehold 1.
3 The Clerke of the Market shall haue with him all his weights and mea- Clerke of the
sures signed. AB. Clerke of the Market 1. Market
20. R. 2. 2. 4 No Peoman or other vnder the degree of an Esquire, shall weare the Li- Lineries.
nery of any man, if he be not his mentall, & continually dwelling in his Lords
house. And Justices of peace shall haue authozitie to enquire of, and punish
the offendours by their discretion. AL. 8. Ed. 4. 2.

5 Pramu-

King Richard the second.

- Premunire.** 5 *Premunire* for purchasing Bulles, or other instruments from Rome. AB. *Premunire* 5. The crowne of England hath ben so free at all times, that it hath ben in subiection to no Realme, but immediately subiect to God, and to none others in all things, which Regaltie in all points, the Lords spirituall, temporall, and commons promised with all their power and force to maintaine, and defend: And that the bishop of Rome, shall not haue authoritie to make Translation of bishopricks within this realme, nor of any persons out of the realme without the Kings consent.
- Pardon.** 6 A repeale of so much of the Statute of 13. R. 2. 1. as concerneth the forfeiture of him which obtaineth a pardon contrary to the said Statute.

Statutes made at Westminster 15. Hillarij,

Anno 17. R. 2. & Anno Domini

1393.

- Money.** ¶ 1 No person shall melt a groate or halfe groate to make vessel or other thing thereof. AB. Money 7. No foraine money shalbe currant in England, but shalbe molten for coyne. No exchange shalbe of Englissh money with Scotissh money vpon paine of forfeiture, imprisonment, fine, and Ransome. CB. 9. Ed. 3. 3. 17. Ed. 4. 1.
- Clothes.** 2 Every man may make and sell kersies and other clothes of any length or breadth, paying the Aulnage, Subsidie, and other duties, notwithstanding any Statute, &c. But there shalbe no deceit in them. EP. 5. Ed. 6. 6. 47. Ed. 3. 2.
- Worstedes.** 3 What sorts of Worstedes may be carried forth of the Realme, and what not. AB. Worstedes 5.
- Mault.** 4 Mault sold to London shalbe clenfed from the duff, that the buyers may haue bigg. bushels of cleere mault to the Quarter. 2. Ed. 6. 10.
- Offices.** 5 No Shercher, Gauger, Aulnager, Customer, &c. shall haue any assured estate in his office, but be removable at the Kings pleasure. AB. Offices 3. 14. R. 2. 10. 1. H. 4. 13.
- Suggestion.** 6 Upon an untrue Suggestion made in the Chancerie against any man, the Lord Chancellor may award him damages. AB. Suggestion 1. 31. H. 6. 5. 37. Ed. 3. 18. 38. Ed. 3. 9.
- Coyne.** 7 Licence graunted to all the Kings subiects to carrie Coyne forth of the Realme to any place, saving to the Kings enemies. But the Kings Councell may restraine the passage when they will. AL. 1. & 2. P. & M. 5. 4. H. 6. 5. 3. 12. 11.
- Riots.** 8 The Sherifes and other the Kings officers shall suppress, and imprison all such as make any vnlawfull assemblies, riots, or routs against the Peace. AL. 13. H. 4. 7.
- Salmons.** 9 The Iustices of peace shalbe conseruatores of the Statutes made 13. Ed. 1. 47. & 31. R. 2. 19. touching the preservation of Salmons. AB. Fish 1. Iust. 41.
- Goale delivry.** 10 In every commission of peace throughe the Realme where neede shalbe, two men of the Law of the same County, where such commission shalbe awarded, shalbe assigned to procede to the delivrie of felons, as often as they shal thinke it meete. AB. Iustices of peace 1. 18. Ed. 3. 2. 34. Ed. 3. 1.

Statutes made at Westminster 22. die Ianuarij

Anno 20. R. 2. & Anno Dom.

1396.

- Armour.** ¶ 1 No man shall goe or ride Armed. AB. Armour 1. Launcegaies shalbe cleare put out. The Statute of 1. R. 2. 8. touching giving Liveries confirmed. 7. R. 2. 13. 2. Ed. 3. 3.

16.R.2.4.

2 No man vnder an Esquier, shall weare the Liurey of any Lord, vnlesse he be his mentall seruant or officer. AL.8.Ed.4.2. Liurtes.

3 No man shall sit vpon the Bench with the Iustices of Assise. AB. Iustices of Assise 4. I. of peace.

4 A Confirmation of so much of the Statute of 18.E.3.13.as giueth licence to Strangers ships laden towards England not to be compelled to come thither, or not to farrie there. Strangers ships.

28.Eb.1.2.

3.Ed.1.31.

5 Whosoever shall take any horse, or other beast, vpon pretence to serue the King, without sufficient warrant, shall be imprisoned vntill he hath satisfied the partie. AL.28.H.6.2. for the penaltie. Takers of horses.

6 Licence granted to Belknap, Holte, and Burghe, to returne out of Ire-land into England, notwithstanding the Statute of 11.R.2.1.&c. Belknap.

Statutes made at Westminster 16. die Septembris,

Anno 21.R.2. & Anno Dom. 1397. All the Statutes made at this Parliament are repealed.

Anno 1.H.4.3.

¶ 1 The liberties of holie Church, of the Lords spiritual and tempozall, and of all Cities and Bzoughes confirmed. Liberties.

2 A Repeale of a Commission graunted to certaine Noble men, to enquire of, and refozme diuers abuses in the Realme, and of a Statute made 10.R.2. to ratifie the same, with all things thereupon depending, as a thing traitterously done. And no such Commission shall be hereafter graunted. Repeale.

3 It shall be adiudged high Treason for any man to compass the death of the King, to depose him, or to make warre against him within the Realme, or to render by his homage. Treason.

4.5.6.7.8.9.10.11.12.13.14. The punishment of diuers traitterous Conspiracies and practises intended against the King, and meanes devised to preuent the like in time to come. And the resolution of certaine Judges and other learned men in the law, touching certaine treasons and other offences.

15 The Kings pardon to them which will sue for their Charter befoze the feast of S. John Baptist next. Pardon.

16 A Confirmation of the Statute made 13. R. 2. 12. that no Shewmaker shall be a Tanner. Tanner.

17 There shall be no licence to ship merchandises of the Staple, to any place but Calice. Staple.

10.H.6.5.

18 Lassage of stones shall be carried out of England to Calice, for the repaire thereof. Calice.

10.H.6.5.

19 A Confirmation of the Statute made Anno 15. E. 3. 4. & 45. Ed. 3. 2. concerning the pulling downe of Weares, Stanks, &c. Weares.

20 Whosoever shall pursue by Parliament to repeale any of these Statutes, and that duly pzoined in Parliament, shall be adiudged a Traitor. &c. 1.H.4.3. Treason.

Statutes

King Henrie the fourth.

Statutes made at Westminster 6. die Octobris,

Anno 1. H. 4. & Anno Dom.

1399.

- Liberties Confirmed.** 1 A Confirmation of all the liberties of holy Church, of the great Charter the Charter of the Forest, and of all other Statutes not repealed. Peace shalbe mainteined, and Justice shalbe done.
- Repeale.** 2 None shalbe impeached or sued that came in aide of King Henrie the 4. or assisted to pursue or apprehend King Rich. the 2. or his adherents. *EX.*
3 A Repeale of the Parliament holden Anno 21. R. 2. with all the circumstances and dependants thereof. *EX.*
- Confirmation** 4 The Parliament holden Anno 11. R. 2. confirmed.
Restitution. 5 A Restitution of those, or their heires, which were Attainted at the Parliament holden Anno 21. R. 2.
- Patents.** 6 In every petition to be made to the King for any Lands, offices or other profits, it shalbe contained of what value the thing is, and what other gift the Petitioner hath received of the King or his predecessors, or else the letters Patents shalbe repealed. *AL. 2. H. 4. 2. in part.*
- Liencies.** 7 The penaltie for unlawfull giving, taking, or wearing of Liencies, or badges, retaining, or being retained. *AB. Liencies 3. 5. 6. 8. Ed. 4. 2.*
- Wife.** 8 A Use maintainable by the disseise against the Kings patent of Lands. *AB. A Use 5.*
- Confirmation** 9 A Confirmation to the purchasers of certaine Lands sold unto them by Commissioners, which were forfeited to the King. Anno 11. R. 2.
- Treason** 10 Nothing shalbe accounted Treason, which was made Treason An. 21. R. 2. But only such offences as were made Treason in the time of King Ed. 3. *1. Ed. 6. 12. 1. M. 1.*
- Sherifes.** 11 Sherifes shall not be charged with the antient Fermes of the Counties, part of the profits being given away. Neither shall they doe extortion.
- Weares.** 12 A confirmation of the Statute of 25. E. 3. 4 & 45. Ed. 2. Touching the pulling downe or abating of weares, franks, &c. And Commissions graunted to execute the same. *AB. Weares 3. 4. H. 4. 11. 17. Ed. 4. 7.*
- Officers.** 13 Customers, Controllers, Searchers, &c. shalbe remouable at the kings pleasure, and shalbe resident upon their offices. *AB. Offices 3. Customers 23. 14. R. 2. 10. 17. R. 2. 5. 31. H. 6. 5.*
- Appeales.** 14 In what places appeales shalbe pursued. *AB. Appeales 1,*
Defaults in London, 15 The punishment of the Mayor, Sherifes, and Aldermen of London, and other Cities, for defaults and misprisions therein committed, shalbe according to the discretion of the Justices thereunto assigned, and not according as it is limited by the Statute of 28. Ed. 3. 10.
- Merchants.** 16 Merchants of London shalbe as free to pack their Clothes, and acquitted of the same packing, as other Merchants be.
- Merchants.** 17 A Confirmation of the Statute of 11. R. 2. 7. authorising Merchants Strangers to buy and sell within the Realme, notwithstanding the letters patents of King R. 2. graunted to certaine persons of London to the contrary. *AB. 24. H. 6. 6. R. 2. 10. 3. Jac. 6.*
- Cheshire** 18 Process against one of the County of Cheshire, which committeth felony into an other Shire. *AB. Cheshire 3. 9. H. 5. 2.*
- Clothes.** 19 No Kerrie, Wendall Cloth, Frase of Couentrie, Cogware, nor other Cloth, where the dozen exceed not xij. s. iij. d. in value, shalbe sealed, nor taxed, nor sold payed therefor, during thre yeares. *EX. 7. Jac. 16. 9. H. 4. 2.*

20 The Kings Pardon to all that will pursue their charters, before Halo, Pardon.
mas next. EXP.

Statutes made at Westminster Octabis Hilla-

rii, Anno 2. H. 4. & Anno Dom.

1400.

1 A confirmation of the liberties of holy Church, and of the franchises of all Lords, Cities, Boroughs, &c. and of all Statutes not repealed. All men may peaceably repaire to the Kings courts to pursue and defend their right. Justice. Justice shalbe done as well to poore as rich.

2 An exposition of so much of the Statute of 1. H. 4. 6. as concerneth the mentioning of other gifts which the petitioner hath received of the King, or his predecessors, expressing which predecessors by name those were. And a confirmation of the residue of the Statute. EXP. Petitioners.

3 If the Pope shall make provision to any person, to be exempt of regular or ordinary obedience, or to have a perpetual office in a house of Religion, or to have as much in a house of Religion, as one, two, or more have. The Provision, that doth accept thereof, shall incur the penaltie ordained. 13. R. 2. 3. CB. Provision.

7. H. 4. 6. 4 Religious persons of the Order of Cisterciars, and other Religions and secular persons, that shall purchase Wuls, to be discharged from the payment of tithes of their lands letten in ferme, or occupied by others then by themselves, shall incur the forfeitures ordained. 13. R. 2. 3. AL. 13. Eliz. 2. Provision.

6. Ed. 3. 1. 5. R. 2. 2. 2. H. 6. 6. 5 He that carrieth any Gold or Silver forth of the Realme, shall confesse to the searcher how much he hath. AB. Money. Merchants strangers that do sell their Merchandizes within the Realme, and doe imploy the one halfe of their money upon the Merchandizes of the Realme, may carrie forth the other halfe by the Kings Licence. AL. 4. H. 4. 15. 17. Ed. 4. 1. Transporting money.

11. H. 4. 5. 14. H. 4. 6. 6 The mony of Scotland, and all other Countries beyond the Sea, shalbe converted into Bullion and not be currant in England. EXP. Money.

7 Where, if the verdict passe against the plaintife, he shall not be nonsuit. AB. Nonsuit. Nonsuit.

13. Ed. 1. 4. 7 The fee of the Cheirographer of the common place for a fine levied. AB. Cheirographer. Cheirog.

9 Such as were Commissioners in the time of King Rich. 1. shalbe discharged of their Certificats by taking of their othes. EXP. Commissioners.

10 The Clerke of the Crowne of the Kings Bench shall take no more for Indictments then hath been used, viz. where divers defendants do plead to an issue not guiltie, the Clerke ought not to take for the Venire facias, or for the entring of the plea but two shillings. Q. Clerke of the Crowne.

13. R. 2. 5. 11 A remedie for him who is wrongfully pursued in the Court of the Admiraltie. AB. Admirall. Admiraltie.

12 No Welshman whole bozne in Wales, and having Father and Mother bozne in Wales, shall purchase any Land in any Merchant Towne lying in Wales, nor in the Suburbs thereof: Nor shalbe chosen Burgesse, in any Cite Borough &c. nor shalbe Mayor, Bailife, or officer there, nor shall beare any Armo: within such Cite or Borough, upon paine of forfeiture thereof. AL. 27. H. 8. 26. Welshmen.

13 The pardon graunted 21. R. 2. 15. confirmed, notwithstanding all other Statutes made in the same Parliament repealed. Pardon.

King Henrie the fourth.

Statutes made at Westminster 6. die Octobris,

Anno 1. H. 4. & Anno Dom.

1399.

- Liberties Confirmed.** 1 A Confirmation of all the liberties of holy Church, of the great Charter the Charter of the Forest, and of all other Statutes not repealed. Peace shalbe mainteined, and Justice shalbe done.
- Repeale.** 2 None shalbe impeached or sued that came in aide of King Henrie the 4. or assisted to pursue or apprehend King Rich. the 2. or his adherents. EP.
- Confirmation Restitution.** 3 A Repeale of the Parliament holden Anno 21. R. 2. with all the circumstances and dependants thereof. EP.
- Patents.** 4 The Parliament holden Anno 11. R. 2. confirmed.
- Restitution.** 5 A Restitution of those, or their heires, which were Attainted at the Parliament holden Anno 21. R. 2.
- Patents.** 6 In every petition to be made to the King for any Lands, offices or other profits, it shalbe contained of what value the thing is, and what other gift the Petitioner hath received of the King or his predecessors, or else the letters Patents shalbe repealed. AL. 2. H. 4. 2. in part.
- Liuries.** 7 The penaltie for unlawfull giuing, taking, or wearing of Liuries, or 8. Ed. 4. 2. badges, retaining, or being retained. AB. Liuries 3. 5. 6.
- Wife.** 8 A Wife maintainable by the disseise against the Kings patent of Lands. AB. Affise 5.
- Confirmation** 9 A Confirmation to the purchasers of certaine Lands sold unto them by Commissioners, which were forfeited to the King. Anno 11. R. 2.
- Treason** 10 Nothing shalbe accounted Treason, which was made Treason An. 21. R. 2. But only such offences as were made Treason in the time of King Ed. 3. 1. Ed. 6. 12. 1. M. 1.
- Sherifes.** 11 Sherifes shall not be charged with the antient fermes of the Countie, part of the profits being given away. Neither shall they doe extortion.
- Weares.** 12 A confirmation of the Statute of 25. E. 3. 4 & 45. Ed. 2. Touching the pulling downe or abating of weares, stanks, &c. And Commissions graunted to execute the same. AB. Weares 3. 4. H. 4. 11. 17. Ed. 4. 7.
- Officers.** 13 Customs, Controllers, Searchers, &c. shalbe remonable at the kings pleasure, and shalbe resident upon their offices. AB. Offices 3. Customs 23. 14. R. 2. 10. 17. R. 2. 5. 31. H. 6. 5.
- Appeales.** 14 In what places appeales shalbe pursued. AB. Appeales 1.
- Defaults in London.** 15 The punishment of the Maior, Sherifes, and Aldermen of London, and other Cities, for defaults and misprisions therein committed, shalbe according to the discretion of the Justices thereunto assigned, and not according as it is limited by the Statute of 28. Ed. 3. 10.
- Merchants.** 16 Merchants of London shalbe as free to pack their Clothes, and acquitted of the same packing, as other Merchants be.
- Merchants.** 17 A Confirmation of the Statute of 11. R. 2. 7. authorizing Merchants Strangers to buy and sell within the Realme, notwithstanding the letters patents of King R. 2. graunted to certaine persons of London to the contrary. AB. Viſuals 2. 24. H. 6. 6. 6. R. 2. 10. 3. Jac. 6.
- Cheshire.** 18 Procces against one of the County of Chester, which committeth felony into an other Shire. AB. Chester 3. 9. H. 5. 2.
- Clothes.** 19 No Kerſie, Wendall Cloth, Fræse of Couentrie, Cogware, nor other Cloth, where the dozen exceed not xij. s. iij. d. in value, shalbe sealed, nor subſidie payed therfore, during thre yeares. EP. 7. Jac. 16. 9. H. 4. 2.

20 The Kings Pardon to all that will pursue their charters, before Halo, Pardon.
mas next. EXP.

Statutes made at Westminster Octabis Hilla-

vii, Anno 2. H. 4. & Anno Dom.

1400.

¶ 1 A confirmation of the liberties of holy Church, and of the franchises Confirmation
of all Lords, Cities, Boroughs, &c. and of all Statutes not repealed. All men Justice.
may peaceably repaire to the Kings courts to pursue and defend their right.
Justice shalbe done as well to poore as rich.

2 An exposition of so much of the Statute of 1. H. 4. 6. as concerneth the Petitioners.
the mentioning of other gifts which the petitioner hath received of the King, or
his predecessors, expressing which predecessors by name those were. And a con-
firmation of the residue of the Statute. EXP.

3 If the Pope shall make provision to any person, to be exempt of regular or Provision,
ordinary obedience, or to have a perpetuall office in a house of Religion, or to
have as much in a house of Religion, as one, two, or more have. The Provision,
that doth accept thereof, shall incur the penaltie ordained. 13. R. 2. 3. C.

7. H. 4. 6. 4 Religious persons of the Order of Cisterciars, and other Religious and se- Provisioners.
cular persons, that shall purchase Bulls, to be discharged from the payment of
tithes of their lands letten in ferme, or occupied by others then by themselves,
shall incur the forfeitures ordained. 13. R. 2. 3. AL. 13. Eliz. 2.

6. Ed. 3. 1. 5. R. 2. 2. 3. H. 6. 6. 5 He that carrieth any Gold or Silver forth of the Realme, shall confesse to Transporting
the searcher how much he hath. AB. Money 3. Merchants Strangers that do sell money.
their Merchandizes within the Realme, and doe employ the one halfe of their
monney upon the Merchandizes of the Realme, may carrie forth the other halfe
by the Kings Licence. AL. 4. H. 4. 15. 17. Ed. 4. 1.

11. H. 4. 5 14. H. 4. 6 6 The mony of Scotland, and all other Countries beyond the Sea, shalbe Money.
converted into Bullion and not be currant in England. EXP.

7 Where, if the verdict passe against the plaintife, he shall not be nonsuit. Nonsuit.
AB. Nonsuit 1.

13. Ed. 1. 4. 1 8 The fee of the Cheirographer of the common place for a fine levied. AB. Cheirog.
Cheirographer.

9 Such as were Commissioners in the time of King Rich. 1. shalbe dischar- Commissioners
ged of their Certificats by taking of their othes. EXP.

10 The Clerke of the Crowne of the Kings Bench shall take no more for Clerke of the
Indictments then hath been used, viz. where divers defendants do plead to an Crowne.
issue not guiltie, the Clerke ought not to take for the Venire facias, or for the
entring of the plea but two shillings. Q.

13. R. 2. 5. 11 A remedie for him who is wrongfully pursued in the Court of the Ad- Admiraltie.
miraltie. AB. Admirall 1.

12 No Welshman whole bozne in Wales, and having Father and Mother Welshmen.
bozne in Wales, shall purchase any Land in any Merchant Towne ioyning
Wales, nor in the Suburbs thereof: Nor shalbe chosen Burgesse, in any
Cittie Borough &c. nor shalbe Mayor, Bailife, or officer there, nor shall beare
any Armoz within such Cittie or Borough, upon paine of forfeiture thereof
AL. 27. H. 8. 26.

13 The pardon granted 21. R. 2. 15. confirmed, notwithstanding all other Pardon.
Statutes made in the same Parliament repealed.

14 Who

King Henrie the fourth.

- Purveyors.** 14 Whosoever maketh purveyance of any thing to the value of *xl. s.* or under, for the Kings house, shall make ready payment. AB. Purveyors 22. 20.H.6.8.
- Hereticall doctrine.** 15 None shall preach without the licence of the Diocesan of the same place saving Curates in their Churches, and such as be privileged by the Canon Law. None shall preach or write any Word contrary to the Catholike Faith, or determination of the holy Church: nor shall make any conventicles of such Sects and wicked doctrines, nor shall favour such preacher. Every Ordinario may convent before him, and imprison any person suspected of heresse. An obstinate Heretike shall be burned in an open place before the people. EP. 25.H.8. 14.& 1.Eliz 1.& 1.Ed.6.12. 5.R.2.5. 2.H.5.7. 1.& 2.P.& M.6.
- Welshmens oppressions.** 16 If those Welshmen which do arrest, take, and carry away any Englishman, or his goods, or cattell, into Wales, do not within by. dayes (after letters Testimoniall thereof sent to the officers of those parts in Wales) release them, then it shall be lawfull to the English people so grieved, to doe the like to any people of those Seigniories in Wales, where the said offenders do dwell. AL.20.H.6.3. for the penaltie.
- Welshmen.** 17 If a Welshman shall commit any felonie in England, and then fly into Wales, and after is thereof attainted by Outlawrie, or Abiration in England, upon certifiat thereof made by the Kings Justices (before whom he shall be attainted under their seales) to the Lords and officers in Wales where he remaineth, present execution shall be made upon the offender. AL. 27. H. 8.26. S. Wales 107.108.
- Barons.** 18 Lords Merchants in Wales shall keep sufficient gards in their Castles and Seigniories, that no riot, losse, or hurt, come to the king or his people, by any Welshmen. AL.27.H.8.26.
- Welshmen.** 19 No Englishman shall be condemned at the suit of a Welshman, but by the iudgment of the English Justices, or by English Burgeses, or Enguelles. AL.27.H.7.36.
- Welshmen.** 20 No Welshman shall purchase any Land in England, nor within the English Townes of Wales, upon paine to forfeit the same to the Lords of the Fee: nor shall be any Burgesse, or have any liberty within the Realme. AL. 27. H. 8.26.
- Liveries.** 21 A Confirmation of the statute of 1. H. 4.7. touching giving of Liveries or Badges, and retayning. And the Prince may give his honorable Liveries to his Lords, and mentall gentlemen, and they may weare them. 8.Ed.4.2.
- Suits.** 22 Licence given to any person to prosecute any suit contrary to the Statute of 11.R.2. though it be prohibited by the Statute. EXP. 770.
- Marshall.** 23 The fees of the Marshall of the Marshallie of the Kings house. AB. Mar- 9.R.2.5. shall 6.
- 24 All Proceses awarded against those that were with the Duke of York 23.R.2. for their wages then received, shall be discharged. EXP.

Statutes made at Westminster Crastino Michaelis, Anno 4. H.4. & Anno Dom. 1402.

- Confirmation** ¶ 1 A confirmation of the Liberties of holy Church, and of all corporations, and persons, of the great Charter, the Charter of the Forest, and of all Statutes not repealed.
- Infidiatores viarum.** 2 The words and termes Infidiatores viarum, & depopulatores agrorum, shall not be put in Indictments, Arraignments, Appeales, nor any other impeachment, but other words purporting the like effect. CB.

3 All former Statutes made by the kings progenitors for the preservation Confirmation of the liberties of holy Church, and for the conservation of the privileges of the Clergie, confirmed. In consideration whereof the Clergie promised to the king in Parliament, That a Clerke commit for treason touching the king him selfe, or for being a common theefe notoriously detected, and delivered to the Purgation, Ordinarie, shall not make his purgation.

4 The king will grant no lands, wards, marriages, or other commodities, Patents, but to such as have deserved them. Exp.

23.H.6.10. 5 Every Sherife shall in person continue in his Baliswike, and shall not Sherife. let the same to farne. AB. Sherifes 3.5.

6 There shall be a seale of lead provided to seale clothes wrought, woven, Seale. and fulled, within London and the Suburbes thereof, upon paine of forfeiture of the cloth to the king, other wise put to sale. EP. 5. Ed. 6.6.

1.R.2.9. 7 The disseisor shall have an Assise against the disseisor taking the profits Pernozs of during the disseisors life. And in other writs of plea of land the demandant profits. shall commence his suit within the yeere against the tenant of the freehold. AL. 27.H.8.10.

8 In what cases a speciall Assise is maintainable against a disseisor with Assise. forre. AB. Assise 6.

7.H.4.11. 9 A remedie to discharge Commissioners distrained to returne Commissi. Commissioners ons which neuer came to their hands. AB. Commissioners 1.

10 The third part of the siluer which shall be brought to the Ballion shall Halfe pence. be made in halfe pence and farthings. And no Goldsmith shall melt them by or paine to pay to the king the quadruple.

1.H.4.12. 11 Commissions shall bee directed to Justices and others to inquire of Weares. Weares, Riddels, &c. raised in great Rivers, whereby the passage of ships and boates is hindered, and fish destroyed, and to punish the offenders by fine. Exp.

12 The Statute of 15.R.2.6. confirmed, viz. That in all Appropriations of Appropriatis. benefices, there shall be provision made for the poore of the Parish, and the Vicar (except the Church of Waddenham in the Isle of Ely. appropriated to the Archdeacon of Ely.) AB. Ecclesiasticall &c. 33.

13 A confirmation of the Statute of 1.Ed.3.5. & 25.Ed.3.8. touching Ser. Service in uice in warre. But all men which hold of the king to doe any service in warre, warre. shall doe the same, notwithstanding any former Statutes.

14 No Labourer shall be retained to worke by the weeke, nor shall take any Labourers. hire for holy daies, or for the euens of Feasts (seeing they labour not but by till noone) but for halfe a day. EP. 5. Eliz. 4.

27.H.6.3. 15 Merchants straungers and Denizens shall bestow their money recei. Merchants. ued for merchandizes, upon other merchandizes of this Realme. AB. Mer- chants 9.

9.Ed.3.1. 16 No man shall carrie gold or siluer forth of this Realme, saving for his rea. Gold and sonable expences. Exp. siluer.

17 No Frier of the foure Orders, viz. Dominos, Augustines, Preachers, Friers. and Carmelites, shall receive into their said Order any Infant, unless he be entred into the age of xiiii. yeares, without the consent of his father, mother, Tutor, or next friends of blood, upon paine to be punished by the discretion of the Lord Chancelor of England. And the foure Provincials of the sayd foure Orders, laying their right hands on their breasts, tooke an oath, and promised in Parliament to performe the same for them and their successors for ever. AB. Dominos &c. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

King Henrie the fourth.

- Attorney.** 18 The punishment of an Attorney found in default. AB. Attorney 11.
- Attorney.** 19 No officer of a Lord of a Franchise shall be Attorney in the same Franchise. AB. Attorney 8.
- Customers.** 20 Customers, Controllers, Searchers, and the Lieutenant of the Kings Butler shall abide upon their Offices, without making any deputies. And every Customer shall be sworn to answer the King all profits. AB. Customs 3.H.6.3.
- Merchandise.** 21 All merchandizes coming into the Realme, and going forth, shall be charged and discharged in great Ports, and not in creeks, except they arrive by compulsion of tempest. AL. 1. Eliz. 11.
- Searchers.** 22 Searchers in euery port shall be sworn, that they shall not let their offices to farme, nor occupie the same by deputie. They shall take nothing of Passers of Ships for their welcome or farewell, nor be host to any Merchant or Mariner, upon paine to lose his office for ever, and make fine at the kings pleasure. Q. an CB.
- Incumbents.** 23 The remedie where by the kings presentation an Incumbent is put forth of his benefice. AB. Incumbent 1.
- Judgements.** 24 Judgements given in the Kings Courts shall continue untill they shall be reversed by Attaint, or Error. AB. Error 7.
- Aulnage.** 25 Aulnage of clothes may be let to farme by improuement with the aduice of the Treasurer of England, & the Barons of the Exchequer, notwithstanding the Statute of 17. R. 2. 5. AL. 31. H. 6. 5.
- Hosier.** 26 An Hosier shall not make horse-bread. How much he may take for oats above the common price in the Market. AB. Inholders 1. 2. 13. R. 2. 8. 32. H. 8. 41.
- Welshmen.** 27 Englishmen shall not be conuict by Welshmen in Wales, but by Englishmen of the next benue. English Burgeses that haue married Welshmen shall haue no franchises with English Burgeses. AL. 27. H. 8. 26.
- Wales.** 28 There shall be no Masters, Miners, Spindrels, or Magabonds, in Wales, to make commonthes, or gatherings.
- Wales.** 29 There shall be no congregations in Wales, but for necessarie causes, and by licence of the chiefe officers, and in their presence.
- Welshmen.** 30 No Welshman shall weare any armour in a Market Towne, Church, Congregation, or in the Highway, in affray of the people. AB. Wales 103. 26. H. 8. 6.
- Wales.** 31 No man shall carrie victuall or armour into Wales without the Kings licence, but for furnishing English Castles and Townes. AL. 27. H. 8. 26.
- Welshmen.** 32 No Welshman shall haue any Castle, Fortresse, or House defensue, of his owne or others, to keepe, saving Bishops and Temporal Lords. AL. 27. H. 8. 26.
- Officer.** 33 No Welshman shall be any Justice, Treasurer, or other officer, or Lieutenant in any office, or of Councell with any English Lord, except Bishops in Wales. AL. 27. H. 8. 26.
- Castles.** 34 Castles and walled Townes in Wales shall bee kept by Englishmen, strangers to the Seignories where the same Castles be. AL. 27. H. 8. 26.
- Welsh women** 35 No Englishman that marieth a Welsh woman shall be in any office in Wales, or the Marches thereof. AL. 27. H. 8. 26.
- Leather.** 36 Shoemakers and Cordwainers may tanne leather, notwithstanding the Statute of 13. R. 2. 12. 3. Eliz. 8.

Statutes made at Westminster Crafftino Hillarij,

An. 5. H. 4. & Anno Dom. 1403:

- Forfeiture for Treason.** ¶ 1 Those lands of Sir P. P. and S. T. P. and others attainted of Treason, 7. H. 4. 5.

son, shalbe forfeited to the king, wherof they were seised to their owne use, but not those wherof they were seised to the use of others. *IR.*

2 The penaltie of him that doth obtaine pardon for an approuer, which pardon committeth felonie againe. *AB. Pardon 4.*

3 Watches shalbe made vpon the sea coast, by the number of people, in the places, and in maner and sozme as they had woont to be. And this shal be put as an article in the Commission of Iustices of peace, that they shal enquire of the offenders in their Sessions, and punish them. *AB. Watch 2.* Watches on the Sea coast

4 It shal be felony to multiply gold or siluer, or to vse the craft of multiplication. *AB. Multiplication 1.* Multiplication,

5 It shalbe felonie to cut out the tongue, or put out the eyes, of any of the Kings subjects. *AB. Tongues, Eyes 1.* Tongue. Eyes.

11.H.6.11.

6 The penaltie of him which maketh assault or fray vpon the seruant of a knyght, or Burgesse of the Parliament. *AB. Fighting 5.* Parliament.

9.H.3.20.

9.Ed.3.1.

7 Merchants strangers shal be demeaned within this Realme, as Merchants Denizens be in other Realmes. Merchants.

8 The Iudges may examine the plaintifes Attornei in an Action of Debt vpon the arrerages of Accounts, and others whom they will, and allow the defendand to wage his law, or plead to an Enquest. *AB. Wager 3.* Wager of law.

4.H.5.5.

18.H.6.4

9 Customers and Controllers shal take sufficient suretie of Merchants Aliens, to imploy the money comming of their merchandise, and by exchange, vpon the commodities of this Realme. *AL. 4. Ed. 4. 6.* No merchant Alien shal sell any merchandise to another Alien. Sufficient houses shal be assigned in euerie towne, for Merchants Aliens by the Maiors, Officers, &c. with whom and none other they shal continue. Merchants Aliens shal sell their merchandizes within a quarter of a yeare. *EP. 6. H. 4. 4.* Merchants Aliens.

10 None shalbe imprisoned by a Iustice of peace, but in the common gaole. *AB. Prison 1.* Prison.

11 The farmers of Aliens lands, shal pay tithes to the Parsons, Vicars, &c. according to the Law of the Church, though the lands be seised into the Kings hands, or that any Prohibition be made to the contrarie. *CB.* Tithes of Aliens.

12 Execution may be awarded vpon a Statute once shewed in Court. *AB. Statutes 3.* Statute.

13 What things may be gilded or laid on with siluer, and what not. *AL. 8. H. 5. 3.* Gilding.

14 Inrolling of writs in the Common place, whereupon fines bee leued. *AB. Chirographer 2.* Writs inrolled.

15 The Kings pardon.

Statutes made at Couentrie 6. die Octobris,

Anno 6. Henrici 4. & Anno Dom.

1404.

1 Whosoever shal pay to the Church of Rome, for the first fruit of any Archbishopricke, or Bishopricke, or other seruices, moze then of ancient time hath been paid, shal forfeit to the king as much as he may lose. *AL. 2. 5. H. 8. 20.* First fruits to Rome.

2 The Statute of 1. H. 4. 6. touching petitions to be made to the King for lands, offices, &c. shal not extend to the Queene or Prince. *EP.* Petitions.

3 Commissions shalbe directed to enquire of certaine officers accomptant, and to make certifiat what they haue receiued, and concealed. *AB. Accomptants 3.* Accomptants

4 A repeale of so much of the Statutes of 5. H. 4. 9. as doth ordaine that Merchandise shal be sold by the King or his officers. Merchandise.

By

chants

King Henrie the fourth.

chants Aliens to sell their Merchandises within a quarter of a yeare. But they shall carrie forth of the Realme no Merchandise brought in by Merchants Aliens.

Statutes made at Westminster 1. die Martij, An.

7. Hen. 4. & Anno Dom.

1405.

- Confirmatiō.** ¶ 1 A Confirmation of the Liberties of Holie Church, of the Franchises of all Cities, Boroughes, and persons, of the great Charter, the Charter of the Fozeſt, and of all Statutes not repealed. Peace shall bee kept, and iuſtice ſhall be done to euery perſon, ſauing to the King his Regaltie and Pre-rogatiue.
- The Crowne intailed.** 2 The Realmes of England and Fraunce, and all the Kings Dominions beyond the Sea, aſſured to King Henrie the fourth for his life, and after his deceaſe to Prince Henrie his eldeſt ſonne, and to the heires of his bodie begotten. And if he die without iſſue, then to Thomas his ſecond ſonne, and the heires of his bodie begotten. And for default of ſuch iſſue, to John his third ſonne, and the heires of his bodie begotten. And for default of ſuch iſſue, to Humfrey his fourth ſonne, and the heires of his bodie begotten.
- Escheits.** 3 A Confirmation of the Statute of 42. Ed. 3.9. touching Escheits. And Rolles of Escheits ſhall be made certaine. AB. Escheits 2.
- Escape.** 4 In an Action of Debt brought againſt a Gaoler which letteth a priſoner 1.R.2.12; condemned to eſcape, no protection is allowable. AB. Escape 3.
- Foſſeitures.** 5 H. 4. and T. B. attainted of treaſon, ſhall forſeit thoſe lands to the king 5.H.4.1. whereof they were leiſed to their own uſe: but not thoſe whereof they were enfeoffed to the uſe of others. EP.
- Bulles.** 6 Whoſoever ſhall purchaſe any Bull to be diſcharged of Tithes, or ſhall 13.R.2.3. trouble any perſon in reſpect thereof, ſhall incurre the penaltie ordained by the Statute of 2. H. 4. 4. AL. 13. Eliz. 2.
- Arrow heads** 7 Arrow heads ſhall be well boyled, byaced, and hardened at the point. AB. Arrow heads 1.
- Benefice.** 8 No Priuiſion ſhall be made by the Pope, nor Licence or Pardon by the 3.H.5.4. King, touching any benefice then full of an Incumbent. EP.
- Merchandize.** 9 Clothes and other Merchandizes may bee ſold in groſſe, as well to all the Kings people, as to the Citizens of London, notwithstanding any Franchiſe &c.
- Cloth.** 10 The whole coloured cloth ſhall containe in length xxiiij. yards, and the cloth of Ray as much, and in breadth ſix quarters. And the Clothiers making them of leſſe length or breadth, ſhall forſeit them to the King. EP. 9. 47.Ed.3.1. H.4.6.
- Commiſſioners** 11 Commiſſioners not receiuing the Commiſſions, ſhall be diſcharged by 4.H.4.6. on their oathes. AB. Commiſſions 1.
- Foſſeiture.** 12 Thoſe lands ſhall not be forſeited to the king, whereof J. S. and T. B. attainted of treaſon, were enfeoffed to the uſe of others: but only thoſe which came to them by diſcent or purchaſe. EP.
- Attorney.** 13 Impotent perſons that be outlawed may make Attorneys. AB. Attorney 10.

- 14 A Confirmation of the Statute of 1.R.2.7.& 1.H.4.7. touching giving Lineries.
or taking of Lineries. No Congregation or Companie shall make any Lin-
erie of Cloth, or of hats. AB. Lineries 1.4.
- 11.H.4.1.
23.H.6.15. 15 The manner of the election of the Knights for the Parliament. AB. Par- Parliament.
liament 4.
- 16 They which have annuities by the grant of the king, or any of his pre- Annuities.
decessors of an elder date, to be paid by the hands of the Sherrifes, shall be satis-
fied before them whose grants be of a later date. EP.
- 2.H.6.11.
11.H.7.11. 17 No person shall put his sonne or daughter to be an apprentice in a City, Apprentice.
or borough, unless he hath lands or rent to the perye value of xx. s. EP. 5. Eliz.
4. as to all other cities saving London or Norwich.
- 18 None shall be punished for the repressing of the Riots and Insurrections, Repressing
which have beene made since the kings comming into the Realme. EP. Riots.

Statutes made at Gloucester 20. die Octobris,

Anno 9. Henrici 4. & Anno Dom.

1407.

- ¶ 1 A Confirmation of all the liberties of holy Church, and of al persons, Confirmation
Cities, and Boroughes (except the franchises late granted to the Schollers
of the Universities of Oxford) and of all Statutes not repealed.
- 1.H.4.19. 2 Kendall cloth wherof the dozen exceedeth not vi. s. viij. d. shall not be sea- Cloth.
led with the Kings Seale, nor Aulnage paid for it. AL. 7. Jac. 16.
- 3 Felons and robbers in South Wales shall be apprehended and brought to Felons in
the Gaole, or else the countie shall satisfie for their offences to the parties, by South Wales.
the award of the Lord of the same Seigniorie. AL. 27. H. 8. 26.
- 4 A felon in Wales openly knowne, shall not be suffered to disclaime out Felons in
of the Seigniorie where the felonie was done. And such disclaiming shall be bt. Wales.
terly put out. AL. 27. H. 8. 26.
- 5 A remedie where Lords of ancient demesne, or Priours, or Bailifes in Disseisors.
Assise, or other writ, by collusion be named disseisors, to take away their fran-
chise. AB. Assise 9.
- 6 A repeale of the Statutes of 7. H. 4. 10. touching the length and breadth Cloth.
of cloth.
- 1.Ed. 3. 6. 7 The goods and cattels of Forreines shall be chargeable to the payment Filtene.
of the Filtene where they be the time of the grant of the same. AB. Fil-
teenes 1.
- 8 Money shall not be carried out of this Realme to the Court of Rome. C. Money.
lections of Archbishops and Bishops shall be free, and not be interrupted by the Bishops.
Pope or the King. AL. 25. H. 8. 20.

Statutes made at Westminster Quindena Hillarij,

An. 11. H. 4. & Anno Dom. 1409.

- 1.H. 4. 1.
23. H. 6. 15.
20. H. 6. 5. ¶ 1 The penaltie of the Sherife which maketh an untrue retorne of the Parliament.
election of the Knights of the Parliament. AB. Parliament 4.
- 2 No common Hostler in a Citie or borough, shall be a Customer, Control- Customs.
ler, Finder, or Searcher. AB. Customs 23.
- 3 Justices of Assise shall deliver into the Tresorie, Records of Assise, &c Records.
Records shal not be amended or impaired after iudgement giuen and inrolled.
AB. Records 1.

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Unlawfull games.	4 He that offendeth in playing at unlawfull games prohibited by the Stat. of 12.R.2. 6. shall be imprisoned vs. daies. EP. 33.H.8.9.	
Gallie halfe pence.	5 Gallie halfe pence shall not be currant in payment in this Realme, vpon paine of forfeiture thereof. EP.	2.H.4.6. 23.H.4.6.
Cloth.	6 No man shall tack and pleight together clothes, besoze the Aulnager hath searched, and let his seale to them. AB. Draperie 87.	13.R.2.11.
Cloth.	7 Merchants strangers shall pay their customes and Subsidies granted to the king, for clothes cut in peeces, and for clothes cut into garments, according to the quantitie of the same. EP.	
Exchanges.	8 The Chancelloz of England shall every fifteene daies send the Estreits of exchanges taken of Merchants, according to the Statute of 14.R.2.2. into the Exchequer, that the Customer may be examined by them. CB.	9.H.5.9.
Jurors.	9 Jurors in Indictmens shall be returned by the Sherife, without denomination of any. AB. Jurors 7.	3.H.8.12. 11.H.7.24.

Statutes made at Westminster Craftino Animarum

An. 13. H. 4. & Anno Domini 1411.

Confirmation	¶ 1 Holy Church, and all Cities and Boroughes, shall enjoy their liberties and franchises, except the franchise late granted to the Schollers of the Vniuersitie of Oxford. The great Charter, the Charter of the Forest and all other Statutes not repealed, confirmed.	
Chiefe Justice.	2 The Statute of 8.R.2.2. touching Justices of Assise and Gaole delinerie, confirmed. The chiefe Justice of the Kings Bench, shall not be Justice of Assise in any Countie, but in Lancashire. EP.	
Liveries.	3 A confirmation of the Statute of 1.R.2.8. 1.H.4.7. & 7.H.4.14. touching giuing and taking of Liveries.	
Clothes.	4 A confirmation of the Stat. of 7.H.4.10. & 11.H.4.6. touching Clothes, Clothiers, and Aulnagers.	
Officers.	5 All Customers, Controllers, Gaugers of wine, and Searchers, shall be continually resident vpon their offices. AB. Customers 26.	1.H.4.13. 4.H.4.10.
Money.	6 No Gallie halfe pence, Scottis money, or other fozeine money, shall be currant within this Realme, according to former Statutes. EP.	2.H.4.6. 11.H.4.5.
Riots, &c.	7 The Justices of peace, and the Sherife, shall arrest those which commit any Riot, Rout, &c. inquire of them, and recozd their offences. AB. Riots 1.&c.	11.H.7.7. 2.H.5.8.

Statutes made at Westminster 29. die Aprilis, An.

1. Hen. 5. & An. Dom. 1413.

- 7.H.4.15.
23.H.6.15. **1** What sort of people shalbe chosen, and who shalbe the chusers of the Parliament. Knights of the Shire, and the Burgesles for the Parliament. AB. Parliament 4.9.
- 2** A Confirmation of former Statutes made against the leaping, and Weares: Breitting of Weares, Pils, Stankes, Stakes, and Riddels.
- 3** In an Action of Forgerie of false deedes, the partie grieved shal recover forging his damages, and the defendant shall make fine at the kings pleasure. EP. 5. Eliz. 14.
- 4** Sherifes Bailifes shall not be in that office thre peeres after. Shrifis Shrifis officers shall not be Attorneys. AB. Sherifes 26. Attorneys 7.
- 5** In original writs, where an Exigent shall be awarded, additions of the Additions. names of the defendants shall be put. AB. Additions 1.
- 6** No Welshmen shall take or attempt reuenge, by force, or law, against Welshmen any of those Englishmen which did pursue or sea them or any of their friends in the late rebellion. EP.
- 7.R.1.12. **7** A confirmation of the stat. of 13.R.2.2. restraining Aliens to accept any Aliens no Benefices in England: Except Priors Aliens conuentual, and other Priors, Benefices. which haue institution and induction, so that they be Catholike, and find suretie not to disclose the counsell and secrets of the Realme. CB.
- 1.H.6.3.
2.H.6.8. **8** All Irishmen that depart the Realme befoze the feast of V. except Gradus Irishmen. ats in Schooles, Serieants, and Appzntices at the Law, Inheritozs in England, Merchants of good name, and their Appzntices, Religious persons possessed, and they with whom the King wil dispence. Irishmen which haue benefices or offices in Ireland, shall dwell vpon them. Q. an CB.
- 9** The reuenues of of Calice and the bozders therof, shalbe imployed to the Calice. maintenance of it, and not to any Patentees. EP.
- 4.Ed.3.3.
25.Ed.3.1. **10** By what measure Purueyours or other shall take or buy cozne. AB. Pur. Measures, ueyors 16.

Statutes made at Leicester 30. die Aprilis, Anno

2. Henr. 5. & Anno Dom.

1414.

- 24.Eliz. 5. **1** Ordinaries shall enquire of, and reforme the foundation, estate and, Hospitals. gouernance of Hospitals. Hospitals. 1.
- 2** A Corpus cum causa, or Certiorari, to remoue into the Chauncerie him Corpus cum causa. which is in execution at anothers mans suit. AB. Corpus &c. 1.
- 8** A Libel grantable in the Spiritual Court, shalbe presently deliuered. AB. Libell. Prohibition 10.
- 4** Iustices of peace haue authority to send their writs for fugitive seruants Labourers. and labourers, to euery Sherife of England, to bring them befoze them to answer for their offences. EP. 5. Eliz. 4. Which Iust. of the peace & Quorum must I. of peace, be resident within the same Shire, and which not. And at what times the Iustices must hold their Quarter Sessions. AB. Iust. of Peace 1. 5.
- 12.R.2.10. **5** If any person dwelling in Tindale, or Cramshire, in the Countie of Tindale. Posthumberland shall commit any Treason, Murder, or Felony, out of those Cramshire. Franchises, proces shall be made against him untill he be outlawed: And then the Iustices befoze whom the Outlawrie is returned, shall make Certificat thereof
- 9.H.7.7.
11.H.7.9.

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thereof to the officers of the said Franchises. And such felon shall be taken, and his lands and goods shall be seized into the hands of the Lords of the same franchises, as forfeit. AL. 14. Eliz. 13.

Safeconducts 6 Breaking of Truce and Safeconducts shall be high Treason. EP. 20. H. 14. H. 6. 8. 6. 11. In euerie Port of the Sea one shall be appointed by the R. Commission 29. H. 6. 2. Conseruator of the Truce, and the Kings Safeconducts.

Lollards. 7 Because there be great rumors, congregations, & tumults, by a Sect of Heretikes called Lollards, and others of their conserderacie and inticement, to the intent to subuert the Christian Faith, the Law of God, and holy Church, to destroy the King, and all other Estates of the Realme, as wel Spirituall as Tempozall and all manner of policie, and the Lawes of the Land utterly; Therefore to fortifie the Christian Faith, the Estate of the King & the Realme, the Chancelor, Treasurer, Iustices, Sherifes, Maioz, Bailifes, and all other Officers having gouernment of people, shall receiue an oath when they undertake their charges, to do their whole endeavour to root out & destroy all errors and heresies called Lollards, within the places where they execute their offices. All persons conuict of heresie by the Ordinaries or their Commisaries, left to the secular power, according to the Lawes of holie Church, shall forfeit all their lands & tenements which they haue in fee simple, to the Lords of the sex, as in case of Attainder of felonie, and all their goods and chattels to the King. EP. 1. Ed. 6. 12. 1. Eliz. 1.

Riots. 8 Commissions shall be awarded to enquire of the default of Iustices, Sherifes, &c. that ought to arrest and punish Rioters: Who shall returne the Iurie: The punishment of the offenders. AB. Riots 6. &c.

Runnagate. 9 A Bill of complaint shall be exhibited into the Chancerie against him which doth commit any Murder, Robberie, Batterie &c. and after doth flee into woods or unknowne places: and from thence a Capias shall be awarded against him returnable into the Kings Bench. CB.

Statutes made at Westminster 19 die Nouembris,

Anno 2. H. 5. & Anno Dom. 1414.

Iust. of peace. ¶ 1 What sort of men shall be Iustices of peace. AB. Iust. of peace 1. 13. R. 2. 7. **Chapleines wages.** 2 The yearely wages of Chapleins shall be iiii. l. viiij. s. iij. d. and Parish Priests vi. l. for their hoods, apparell, and other necessaries. CB. 36. Ed. 3. 8.

Juroz. 3 Of what estate those Juroz must be, which are to passe in any Enquest touching the life of man, plea reall, or xl. markes damages. AB. Iurors 11. 8. H. 6. 19. 28. Ed. 3. 13.

Gilding. 4 There shall be no gilding of siluer ware, but of the allay of English Sterling. AB. Gold 7.

Welshmen. 5 If any Welshman which doth forcibly take & detain any Englishman, until he be ransomed, wil not upon proces awarded against him by the Iustices, appeare and answer the same, until he shall be outlawed: The Iustices shall certifie the same vnder their seales to the officers of the Seignioz where such Outlaw is, who shall apprehend and doe execution of him according to the law. AL. 27. H. 8. 26. Wales 1.

Staple. 6 Marchandises of the Staple, viz. Wools, Fels, Leather, Lead, or Tinne, shall not be carried to any parts beyond the sea, without the kings licence, until they be first brought to the Staple. CB.

Money. ¶ 1 A Statute made at Westminster 4. die Nouem. An. 3. H. 5. & Ann. Dom. 1415. The money called Gally halsepence, Salkins, or Dotkins, and all Scottish money of siluer, shall be put out, and not currant for any payment in England. And it shall be felonie to make coine, bying into the Realme, to sell, or put in payment any of the same, &c. CB. 14. H. 6. 9. 11. H. 4. 5. 13. H. 4. 6.

Other

Other Statutes made at Westminster 6. die Martij, Anno

3. H. 5. & Anno Dom. 1415.

¶ 1 A Confirmation of the Liberties of holy Church, and of the Franchises of all persons, Cities, Boroughes, &c. not repealed. Confirmation

An. 5. H. 5.
9. H. 6. 10.

2 Certaine Abbots, Priors, and other Religious persons, in the Counties of Lancaster and York, which have possessions in Staine-clife wapentake, and Friendlesse wapentake in Craven in the Countie of York, may make Attorneys. Attorneys.

3 All Witons not made Denizens, shall depart the Realm before the feast of 3. upon paine of life and member. Exp. Witons.

7. H. 4. 8.

4 All Provisions made by the Pope, or Licences, or Pardons by the king, touching any benefices full of an Incumbent, shall be void. Exp. Benefices.

13. R. 2. 18.

5 Upon a false verdict given in Assises, Juries, & al other Enquests, before the Mayor & Sheriffs of the city of Lincoln, an Attaint may be brought in the Bench, or Common place, triable by forejains of the county of Lincoln. Attaint in Lincoln.

5. Eliz. 11.

6 Clipping, washing, and filing of money of this Realme, shall be adjudged high Treason. Exp. 1. Ed. 6. 12. & 1. M. 1. Clipping of Money.

7 Just. of Assise shall have authoritie in their Sessions to heare & determine the counterfeiting and bringing of false money, and of clipping, washing, and other falsitie. And Justices of peace shall enquire thereof and make proces by Capias only. Exp. 1. M. 1. 1. E. 6. 12. False money.

31. Ed. 3. 4.
21. H. 8. 5.

8 No Ordinarie shall take for the Probate of a Testament, with the Intention, more then was accustomed in the time of H. E. 3. upon paine to peelde to the partie grieved treble of that he hath received. Exp. Probate of Testaments.

Statutes made at Westminster 19. die Octobris, Anno 4.

H. 5. & Anno Dom. 1416.

¶ 1 The great Charter, the Charter of the Forest, and all other Stat. not repealed, confirmed. Confirmation

4. Ed. 4. 9.

2 Sheriffs shall have allowaunce upon their accounts of things casual. AB. Sher. 37. Sheriffs.

3 No man shall make any pattens or clogs of Aspe, upon paine to forfeit C. Pattens & Exp. 1. Jac. 2. 5.

4 The penaltie assigned by the Stat. of 12. R. 2. 4. for gining and taking of excessive wages, shall be hereafter inflicted onely upon the taker. Exp. Wages.

5 A confirmation of the Stat. of 5. H. 4. 7. & 9. touching the using of Par- Merchants, chants strangers, and for appointing of hosts to them.

6 If an Archbishop or Bishop of Ireland (rebell to the king) shall make collation of any benefice to an Irishman, or bring any Irishman to a Parliament or assemble in Ireland, to discover the counsell of Englishmen, his Temporalities shall be seised, untill he hath made fine to the King. CB. Irish.

7 Where the R. enemies shall breake truce upon the sea, or in Scotland, Letters of Letters of Marque under the great Seale shall be granted to him which is Marque. thereby grieved, and cannot have recompence. Exp. 4. Jac. 1. for so much thereof Scotland.

8 The R. pardon of the suit of his peace, and of all issues, fines, forfeitures, Pardon. amerciements, and debts, to the summe of xxvj. s. viij. d. and under. Exp.

¶ 1 A Stat. made at Westminster 11. die Januarij, An. Dom. 1417. An. 5. Attorneys. H. 5. All religious and secular persons, untill the next Parliament, may make Attorneys in plea of Debt, Trespass, or other contracts, in any Wapentakes, Hundreds, and Courts Baron, throught the Realme. Exp.

18. H. 6. 12.
9. H. 5. 1. ¶ 1 A Statute made at Westminster 10. die Januarij, An. Dom. 1419. & Indictment Anno 7. H. 5. A remedie against those which doe indict or appeale others of Lancashire. Treason or Felony committed in a place in the Countie of Lancaster, where as

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Forging
deeds.

as there is no such place. *Co.* The like Proces shall be awarded against them which make and publish false deeds by Capias and Exigent, as in Writts of Trespas. *EP. 5. Eliz. 14.*

Statutes made at Westminster 2. die Decembris,

Anno 8. H. 5. & Anno Dom. 1420.

Parliament
Writts.

¶ 1 In the Kings absence in France the Teste of Writts to sommon the Parliament, shalbe in the name of his Lieutenant, and by his returne it shall not be dissolved. *EP.*

Silver in
Bullion.

2 A pzeifred quantitie of gold or silver in Bullion shall bee brought to the Mint by Merchants Strangers, in stead of Woolle or Tinne transported, not brought to the Staple. *Co.*

Gilding.

3 What things only may bee gilded, & what laid on with silver. *AB. Gold. 7. 5. H. 4. 13.*

Statutes made at Westminster 2. die Maij,

An. 9. H. 5. & Anno Dom. 1421.

Appales.

¶ 1 The Stat. made Anno 7. H. 5. touching Appeales and Indictments in Lancashire, shalbe in force until the next Parliament, after the kings returne into England. *EP.*

Outlawes in
Lancashire.

2 No person outlawed in the Countie of Lancaster shall forfeit any lands or goods, but such as he hath in the same County. *EP. 3. H. 6. 2. A Confirmation of the Statute of 1. H. 4. 18. touching Proces against one of the Countie of Chester.* *18. H. 6. 13. 20. H. 6. 2. 31. H. 6. 6.*

Protections

3 Protections granted to them that be in the kings service in Poymandie or France, and which shall passe with him into France. *EP.* *4. H. 6. 2. 14. Ed. 4. 2.*

Records.

4 The Justices before whom any default shall be found in any Records or Proces, may amend the same before Judgement giuen. *AB. Records 1.* *14. Ed. 3. 6. 4. H. 6. 3. 8. H. 6. 15.*

Sherifes.
Escheatozs.

5 During foure yeares the king may make Sherifes and Escheatozs to continue in their offices aboue one yeare notwithstanding the Statute of 14. Ed. 3. 7. *EP.*

Mint.

6 The Mint and Coynage shall be at Calice, so long at it shall please the king. *EP.*

Ridesdale.

7 The Statute provided 2. H. 5. 5. for such of Lindale or Cramshire, as shal commit Treason, Murder, or Felonie, out of those Franchises, shalbe exten- *11. H. 7. 9. 14. Eliz. 13*
ded in all points against the like offenders within the Franchise of Ridesdale, which be called In-takers, and Out-pozters. And the king and all other persons shall haue the like forfeitures.

Schollers of
Oxford.

8 Schollers of the Vniuersitie of Oxford, which being armed & unknown, doe disseise others of their lands, or doe hunt in Parks, Forests or Warrens, or doe take Clerkes conuict out of the Ordinaries ward, shall haue Proces awarded against them, until they be outlawed, which Outlawrie being certified by the Justices to the Chancelloz of the Vniuersitie, he shall presently banish them out of the same Vniuersitie. *Exp.*

Collectozs.

9 No Abbot or Prior shall be appointed by any Bishop to bee Collecto2 of Dimes or Subsidies, out of the Countie where he dwelleth. *Exp.*

Reels.

10 Reels that carrie Sea-coales in the Port of Newcastle, shall be measured and marked by certaine Commissioners before any carriage bee made by them, vpon paine of forfeiture of them. *FR.*

Gold.

11 No English gold shall be receiued in paiement but by the kings weight. *25. Ed. 3. 12. 5. Ed. 6. 19.*
AB. Money 1.

12 Writts

18.Eliz. 16. 12 Writs purchased by the Wardens of the new Bridge of Rochester, or Rochester
27.El. 35. their successors, or by other against them, shall be effectual in law, though they Bridge.
or some of them die, or be removed, hanging the suit. RR.

Other Statutes made at West. 2. die Decemb. An.

9. H. 5. & Anno Dom. 1421.

¶ 1 A Confirmation of all Statutes made touching the gouvernement of Money,
money, which be not repealed.

2 All men may resort to the Kings Exchanges in open places, or to the Exchange of
Tower of London, to have money new coined (paying for the Seignorage and Money.
Cunage of gold, after the rate of v. s. for the pound of the Tower, and for the
Seignorage and Cunage of silver xv. d. for the pound, and no more. And they
that will not come to the Tower, shall pay for the exchange, after the rate of a
penie for the Noble, and for the half Noble, ob. 4c. RR.

3 At the Tower, or kings Exchanges, good and lawful money shall be deli- Default in
vered, and if any notable default shall be found in the weight or allay, it shall Money.
be lawful to enerie person to refuse that which is defectiue, before hee depart
the place where he shall receive it. RR.

4 The officers of the kings Exchanges shall bring to the Tower of Lon- Silver and
don to be coined all the silver and gold which they buy or exchange. RR. gold exchan-
ged.

5 The kings Mint shall be coined and made at Calice, as it hath bene at Mint.
London. RR.

6 All money of gold and silver shall be made of as good allay and weight as Money
it is now made at the Tower. RR.

7 The Chancelor of England shall send the weight of the Noble, half Noble, and Farthing of gold, to enery Citie, Borough, and Market Towne, that
shall have them, to the intent they be not deceived by false weights. RR. Weights of
Gold.

8 Commissions shall be awarded to certaine persons, to enquire of falsifiers Counterfeit
of weights, and to imprison them. And so may Justices of peace, Sherrifs, and weights.
Ctcheatozs. AB. Weights 13. Just. of peace 92.

14. R. 2. 2. 9 For every Exchange to be made by Merchants, they shall be bound in the Exchanges.
11. H. 4. 8. Chancerie, to buy within nine moneths after, commodities of the Land, to the
value of the thing exchanged, upon paine of forfeiture of the same. Exp.

10 Collectors of Dimes & Fiftenees, which be hindered of their accounts Collectors.
by the slacknesse of their companions, shall have an Action of Debt against
them for the summes which they shall pay for them. Exp.

Statutes

King Henrie the sixt.

Statutes made at Westminster 8. die Nouembris,

An. I. H. 6. & Anno Dom. 1422.

- Mint.** 1 **M**asters and Workemen may bee assigned by the Kings Council to coyne money, and hold the Exchanges in Poike, Wistow, and as many other places as shall seeme necessarie vnto them. *EP.*
- Burgeois.** 2 **E**uerie Sherife shall proclaime all the Statutes of Burgeois in his Bailiweke, foure times in the yeere, vpon paine to forfeit 100. s. to the king. *CB.*
- Irishmen.** 3 **N**o Irishman shal come to dwell in England vnlesse he bring to the Chan- 1. H. 5. 8.
celloz of England letters vnder the seale of the Lieutenant of Justices of Ire-
land, testifying that he is of the kings obsequence. And all Irishmen shal depart
from hence within a moneth after Proclamation, vpon paine to loose their
goods, and to be imprisoned at the k. pleasure, except Graduates in the Schools,
those which haue father & mother English people, Beneficed men, Inheritoz
in England, Religious persons, Merchants, Burgeses, men of Law, and ma-
ried persons to English men or women, being of good fame. None of them shal 1. H. 6. 8.
be Principall in any Hall or Hospitall, but be vnder gouernment. And they
shall find sureties of their good behauiour. *Q. for the vs.*
- Mint.** 4 **T**he Master of the Mint in the Tower may hold the Kings Exchange in
London, so that he send to the Mint to be coyned all that shal come to the Ex-
change in plate, or in Masse. *EP.*
- Recompence
for seruice.** 5 **T**he thirds, and the thirds of the thirds of all gaires obtained in warre,
pertaining to King H. 5. the day of his death, as well of prisoners taken, as of
other gaires of warre, shal be deducted by account in the Exchequer to satisfie
them, or their executoz, who indented to serue the said king in his wars. And
them to whom King Henrie the sixt left any Jewels in gage, shal retain them,
or haue recompence for them, except they were the ancient Jewels of the
Crowne. *EP.*
- Jewels of the
Crowne.**

Statutes made at Westminster 20. die Octobris,

Anno 2. H. 6. & Anno Dom. 1423.

- Confirmation** 1 **A** confirmation of the Liberties of holy Church, and of the Fran-
chises of all persons, Cities, and Boroughes.
- Hospitall of
S. Leonard.** 2 **T**he Master and Brethren of the Hospitall of S. Leonard of Poike, may
haue Writs or Plaints of Debt or Detinue, to recover a thraue of coine of e-
uerie plough land within the Counties of Poike, Cumberland, Westmerland,
and Lancaster, due to them vpon their first foundation, or may leuise, gather,
and take the same thraues: sauing where they haue compounded. *EP.*
- Duke of
Bedford.** 3 **J**ohn Duke of Bedford being in the kings seruice in France, shal be re-
ceined to defend his right by Attorney. *EP.*
- Staple.
Calice.** 4 **A**ll Wools, Fels, Leather, Lead, Tinne, and all other merchandise of 12. R. 2. 16.
the Staple, passing out of England, Wales, and Ireland, shal be carried to Ca-
lice, so long as the Staple is at Calice, vpon paine of forfeiture thereof. And
no Licence shal be granted to the contrarie, but for the Wools, Fels, and Lea-
ther of Northumberland, Westmerland, Cumberland, and the Bishoprick of
Durham. *EP.*
- Calice.** 5 **I**f any carrie Wools or Fels not customed out of the Realme, but to the
Staple at Calice, he shal forfeit the value thereof, and be imprisoned vntill he
hath paid a fine. *Exp.*

- 2H.4.5.
9.Ed.3.1.
5.R.2.2.
17.Ed.4.1.
2.H.7.5.
19.H.7.19.
- 6 A confirmation of the Statute of 9. H. 5. 5. touching money. For what Money. causes only gold or silver may be carried forth of the Realme. AB. Money 3. And to perforce the same Merchants Strangers that find sureties in the Chancery. AB. Merchants 9.
- 7 No Cordwainer shall be a Tanner, upon paine of forfeiture of vij. s. viij. d. Cordwainer for everie hide by him tanned. And for everie defective hide by him tanned, he shall forfeit as much. RR. Eliz. 8.
- 8 The Chancellors of the Universities of Oxford and Cambridge shall take sureties of Irish men resorting thither. for their good abearing, according to the Statute of 1. H. 3. and certifie the same into the Chancery: and the Justices of Peace within Counties, and Mayors and Bailiffs within Cities and Boroughes, shall take like sureties, and do execution against them which shall offend. CB. Q.
- 9 The money called Blankes shall be wholly put out, and whosoever shall receive or pay the same, shall incur the penaltie ordained 3. H. 5. for Gally halfe-pence &c. CB.
- 10 What manner of inferior officers shall be appointed in the Kings courts by speciall officers. AB. Officers 2.
- 18.H.6.17.
1.R.3.13.
28.H.8.14.
- 11 The measure of a Tunne, Pipe, Tertian, and Hoghead of wine, of a Barrell, Kilderkin, Ferkyn, and Tertian of Celes, Herrings, and Salmones. AB. Wines 12.
- 12 The Master of the Pint shall keepe his allaye in making of white money, according to his Indenture. The Kings Assayer and Controulor shall be indifferent betweene the Master of the Pint and the Merchant. The Master of the Pint shall convert into money all the gold and silver which he shall receive. Master of the Mint.
- 13 No persons shall buy or sell silver in plate, peece, or masse, being of as good allay as the Starling, above xxx. s. the pound of Troy, beside the fashion, upon paine of forfeiture of double. Q. an CB. The price of Silver.
- 17.Ed.4.1.
18.Eliz.14.
- 14 Varneys of silver shall be as fine as the Starling, and it shall be touched and marked with the Leopards head. AB. Gold 3. 4. 5. 6. Fineness of silver.
- 15 No man shall fasten nets to any thing over Rivers. AB. Hauens 2. Nets.

Statutes made at Westm. 30. die Aprilis, Anno 3.

Hen. 6. & Anno Dom. 1425.

- ¶ 1 It shall be felonie to cause Masons to confederat themselves in chapters and assemblies whereby they so doe. And all other Masons which come to such assemblies shall be imprisoned and make fine at the Kings pleasure. AB. Masons 1.
- 2 Whosoever shall transport any sheepe to any parts beyond the sea, without of the kings licence (saving to victuall Calice) shall forfeit them, or the value of them. AL. 8. Eliz. 3. touching the penaltie. Sheepe.
- 4.H.4.20.
- 3 The penaltie of a Customer, Collector, or Comptroller, concealing the Kings custome. AB. Custome 24.
- 18.H.5.3.
- 4 The Chancellor of England may grant licence vnder the great Seale to any, to convey Butter and Cheese to any other place beside the Staple. AL. 1. & 2. P. & M. 5. Butter and Cheese.
- 13.Eliz.18.
9.H.6.9.
- 5 The Chancellor of England may graunt commission at all times needfull to indifferent persons dwelling thereabout, to redresse the defaults of the River of Ley running from Ware to Thames. RR. The River of

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Statutes

King Henrie the sixt.

Statutes made at Leiceſter 18. die Februarij,

Anno 4. H.6. & Anno Domini

1425.

- Sherife.** ¶ 1 Everie ſherife ſhall returne into the Kings courts all writs directed to him, at ſuch daies as they be returnable : And ſhall warne all perſons in convenient time to appeare in the Kings courts, that bee impanelled to paſſe in Enqueſts : Or otherwiſe the partie grieved may haue his Action vpon the caſe againſt him, and recouer double damages. *EP.*
- Protections.** 2 A confirmation of the ſtatute of 9. H. 5. 3. touching Protections granted to thoſe who were in Normandie or France in warre. *EP.*
- Recozds.** 3 A Confirmation of the ſtatute of 14. Edw. 3. 6. & 9. H. 5. 4. which doe giue 8. H. 6. 15. authoritie to Juſtices in certaine caſes to amend recozds. *AB. Records 1.*
- Knights.** 4 The writs, ſuits, and proces, now depending of certaine which were of late made knights, ſhal not abate for that cauſe. *EP.*
- Transport Cozne.** 5 A confirmation of the ſtatute of 17. R. 2. 7. giuing licence to al þ kings 4. Lac. 11. ſubiecs to transport cozne. But the Kings counſel may reſtraine it when they will. *AL. 1. & 2. P. & M. 5.*

Statutes made at Weſtminſter Quindena S. Mi-

chaelis, Anno 6. H. 6. & Anno Domini

1427.

- Indictments.** ¶ 1 Upon an Indictment of any perſon in the Kings Bench, a Capias ſhal be awarded againſt him, returnable at the leaſt vij. weekes after, befoze any Exigent ſhall be awarded, or Ouelarie pronounced, or elſe the ſame ſhal be void. *EP. At Q. viz. To endure ſo long as it ſhall pleaſe the King.*
- Copies of Panels.** 2 How long time the copies of Panels in Aſſiſes ſhall bee deliuered to the 42. Ed. 3. 11. parties befoze the ſeſſions of the Juſtices. *AB. Aſſiſe 8.*
- Servants. Labourers.** 3 The Juſtices of Peace in every county, and the Maior and Bailifes in every Citie, borough, and towne, ſhal haue authoritie to make proclamation in their ſeſſions once by the yeare, and ſo in every borough and market towne within their iuriſdiction, How much every ſervant of huſbandrie ſhal take for his ſervice by the yeare, and how much everie artiſicer and workeman ſhal take by the day, and by the weeke, with meat and drink, or without. And he that taketh moze ſhall forfeit the value of his wages, or be xl. daies impriſoned. *EP. 5. Eliz. 4.*
- Parliament.** 4 The ſherife may haue a Trauerſe to an Enqueſt found befoze Juſt. of 7. H. 4. 15. Aſſiſe, touching returning knights for the Parliament. *AB. Parliament 4. 11. H. 4. 2.*
- Sewers.** 5 Sewerall commiſſions of Sewers ſhall be granted to ſewerall perſons, 23. H. 6. 9. during 1. yeares next. The forme of the commiſſion. *EP. 23. H. 8. 5.*
- Calice.** 6 All merchants may ſhip merchandiſe in Welcomb Haven, & carrie them to Calice. *CB*

Statutes

Statutes made at Westm. 22. die Septembris,

Anno 8. Hen. & Anno Dom.

1429.

11. H. 6. 11. 5. H. 4. 6. ¶ 1 The Clergie called to the Conuocation shall haue such liberties as Conuocation. they which come to the Parliament. AB. Conuocation 1.
- 2 No merchants of England shall enter into the Dominions of the King Denmarke. of Denmarke, but to Posythbarum his staple towne, vpon paine of forseiture of the goods, and imprisonment. EP. 1. H. 8. 1.
- 3 Commissioners of Sewers ordained by the Statute of 6. H. 6. 5. shall Sewers haue authoritie to execute their owne ordinances. EP.
8. Ed. 4. 3. 4 The penaltie for buying or wearing of a luerie to haue maintenance in Luerie any quarrall. AB. Lueries. 2.
9. H. 6. 6. 11. H. 7. 4. 27. Ed. 3. 20. 5 Curie Citie, borough, and market towne, shall haue a common ballance and weights, according to the Standard of the Erchequer, & they shall weigh all things by equall ballance. AB. Weights 11. 12. 14. No man shall buy wollen Parne pearne, if he will not make cloth thereof. AB. Yearne 4.
- 6 If any unknowne persons by casting of Bills doe threaten any other to burne their houses, if they doe not bring them a summe of money to a place assigned, and after doe burne any such house, the same shall be high treason. EP. Threatning by bills cast. 1. M. 1. 1. Ed. 6. 12.
1. H. 5. 1. 23. H. 6. 15. 10. H. 6. 2. 7 What sort of men shall bee chusers of the Knights for the Parliament, and who shall be chosen. And the Sherife may examine euery chuser vpon his oath, how much in freehold he may expend. AB. Parliament 4.
- 8 A confirmation of the statute of 6. H. 6. 3. touching the wages of seruants in husbandrie, labourers, and artificers. EP. 5. Eliz. 4. Seruant
5. R. 2. 7. 15. R. 2. 2. 31. Eliz. 11. 9 The office and dutie of Iustices of Peace, where any forcible entrie is made into lands, or peaceable entrie, and after detaining with force. AB. Force Forcible entrie. 2. 3. 4. Iustices of peace 89.
10. H. 6. 6. 10 Upon Indictments of Appeale of persons dwelling in foraine counties what Proses shall be awarded against them. AB. Indictments. 3. Indictments
11. H. 7. 11. 11 The Citizens of London may take Apprentices, according to their ancient custome notwithstanding the Statute 7. Henrici 4. 17. AB. Labourers 27. Apprentices in London.
8. R. 2. 4. 27. Eliz. 5. 12 For error assigned in any Record, Proces, Writ, Pannell, Returne, &c. no iudgement or record shall be reversed. The Iustices may amend such Records. Reforming and amending of variance betweene a Record and Certificate. The penaltie for embeseling of Records. Records exemplified. AB. Records 2. 3. 4. 5. Records
- 13 In all the protections cum clausula Volumus, for those which shall goe with the King into France, there shall be an exception of these wordes Assise noue diffinitione. EP. Protections.
- 14 The Statute of 2. H. 5. 9. which provided a remedie against him that doth commit any murder, robbery, or batterie, and after doth flee into woods, made perpetuall. But it must bee witnessed by two iustices of Peace of the Countie where such Riots &c, that the common fame of the Countrie runneth of the same Riots, before the writ of Capias shall be awarded. And if it happen in the Countie of Lancaster, or in a franchise where there is a Chancelloz and a Seale then the said Chancelloz shall haue authority to award a Capias, vpon complaint to him made by a Iustice, Shirife, &c. CB. Fugitive Robbers

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Records.	15 The kings Justices may in certaine cases amend defaults in Records and Processes. AB. Records 1.	14. Ed. 3. 6. 4 H 5. 4. 6 H. 6. 3.
Escheto.	16 An Escheto & Commissioners shall take an enquest of enquire of such persons onely as be returned by the Sherife. And shall certifie an office with in a moneth after the taking thereof into the Chancerie of Erchequer. AB. Escheto 10. 11. When a patent may be made of lands seised upon an enquest taken befoze an Escheto. AB. Patent 26.	18. H. 6. 7. 36. Ed. 3. 13. 18. H. 6. 6. 1. H. 8. 10.
Patent.		
Calice.	17 Whosoever shall ship or cause to be shipped any wool, fells, leather, lead, or tinne, or carrie the same forth of England, Wales, or Ireland, to any other place but into the Staple of Calice, shall forfeit the double thereof, and be two yeares imprisoned: saving the merchants of Fene, Venice, Tuscaine, Lombardie, Florence, Cataloigne, &c. And also saving the Burgeses of Berwicke. EP.	
Staple.	18 Certaine ordinances made for the prices of the merchandises, and for the suppoztation of the Staple, and Pint at Calice. EP.	
Calice.	19 If any Marriner shall receive into his ship any merchandises, or carrie them to any other place saving to the Staple of Calice (except such which passe the Straits of Parocke) he shall forfeit his ship and goods therein. EP.	
Calice.	20 No merchant dwelling continually in Calice, shall buy beyond the sea any merchandises belonging to the Staple, upon paine of forfeiture thereof. EP.	
Repeale of licences.	21 A Repeale of all licences granted to men of Newcastle and Berwicke, to transpozt merchandises of the Staple to other places then to Calice. If any will carrie merchandises of the Staple into Scotland, he shall forfeit the double value thereof, and be a yeare imprisoned.	
Wool.	22 What is requisit in winding and packing of wooll. No stranger shall force, clacke, or beard any wooll. AB. Wool 8.	23. H. 8. 17.
Thymmies.	23 The penaltie for carrying of thymmies or woollen yarne out of the Realme. AB. Yarne. 3.	23. H. 6. 3.
Merchants Aliens.	24 No man shall be compelled, or make promise to pay to merchants aliens for their merchandises in gold, but in silver. No Englishman shall sell within this Realme his merchandises to an alien, but for present payment in money, or merchandise upon paine of forfeiture thereof. CB.	9. H. 6. 2.
Mayor of the Staple.	25 No Mayor of the Staple that now is, shall continue in his office untill A. and two yeares after. EP.	
Cognisance.	26 The penaltie if in Assise, or any personall action, the defendant make default, to put the Lords, Mayors, Bailifes, &c. from their iurisdiction. AB. Assise 9.	
Wetwksburie.	27 A remedie for the inhabitants of Wetwksburie in the countie of Gloucester, to recover (according to the statute of Winchester) against the people of the forrest of Dean, and hundred of Bledislow, and Westburie, recompence for such robberies, oppressions, and wrongs, which have beene or shalbe done unto them, upon the river of Seuerne. CB. at Q.	
Burford bridge. Colthamford bridge.	28 There shall be a bridge made over the water of Burford, and another over the water of Colthamford, in the high way leading from Abingdon to Dorchester in the countie of Oxford. And there shall be foure perches and eight inches in breadth betweene the ditches of the same way. And all people may amend the same bridges, way, and ditches, plant trees there, and loppe them to repaire the same. HR.	
Enquests de Medietate linguae.	29 A confirmation of the Statute of 28. Ed. 3. 13. ordaining, that an enquest shall bee de Medietate linguae, where an alien is partie. And the Statute	27. Ed. 3. 8.

tute of 2.H.5.3. doth onely extend to Enquest taken betweene denizen and denizen. AB. Iurors 11.29.

Statutes made at Westminster 11. die Januarij,

Anno 9.H.6. & An. Dom. 1430.

¶ 1 All Assises and Nisi prius shall be adourned during the time of this Adournment. Parliament untill certayne daies be p̄screed by Proclamations, which Proclamations shall be made in everie countie at the least xv. daies befoze, and shall have the effect and force of Attachments. EP.

2 English Merchants may sell their merchandises to Aliens, giving them Merchants onely sixe moneths of payment: Notwithstanding the Statute of 8.Hen.6. payments. 24. CB.

3 A confirmation of all Indictments, Inquisitions, Processes, Records, Owen Glend. Judgements, and Statutes made against Owen Glend. notwithstanding do. any misp̄sion, error, &c. But this shall not be p̄iudiciall to the heires of the bloud of the said Owen, as to any lands in taile. R.

37.Ed.3.2. 4 An Idempnate nominis maintainable by the executoz of any Testator, Idemp. nom. wrongfully molested by colour of any Outlarie. AB. Sherifes 23.

19.H.7.18. 5 All men shal have free passage in the river of Seuerne, with stotes, drags Seuerne. goods, and cattels, without the disturbance of any. And hee that is molested shall have his action at the common Law. AL.23.H.8. 12. touching the penaltie.

6 By the Statute of 8.H.9.5. The Burgeses of Dozcester shall not bee Dozcester disturbed to use their weighing by ry. miles about the same Bozough &c. AB. Weights 11.

21.H.6.7. 7 No Sherife or vnderherife of the County of Hereford shall take money Shirife of by ertozion, or do any wrong in his Turne, or other place, by colour of his office, Hereford. vpon paine of forfeiture of r.l. EP.

8 The weight of a weigh of Cheese shall containe xxij. cloues, and everie Weigh of cloue viij. l. AB. Weights 6. cheese.

3.H.6.5. 9 A Commission shall be granted to certayne persons to scoure and amend Ley 13.Eliz. 18. the River of Ley in the counties of Essex, Hertford and Middlesex. EP.

7.Iac.9. 10 A rehearsall and confirmation of the Statute of 3.H.5.2. authorizing cer. Attourneis taine Abbots and Priors to make Attourneies. EP.

11 Proclamations thereof shall bee made in the Chaucerie, befoze a writ Bastardie shalbe awarded to the Bishop to certifie Bastardie. AB. Bastardie 3.

Statutes made at Westminster 12. die Maij, Anno

10.H.6. & Anno Dom. 1432.

¶ 1 Recognisances of debts taken befoze the Paioz and Constables of the Recognisances taken at Staple of Calice beyond the sea, shall be effectuell and executozie within this realme, as Recognisances taken befoze the Paioz and Constables of the Sta. Calice ples at Westminster be. EP.

8.H.6.7. 2 He which shall be a chuser of the Knights of the Parliament, must be resident within the same countie, and have freehold lands to the p̄ely value of xl.s. AB. Parliament 4.

3 If any of the King of Denmarke subiects shall take from any of the Denmarke Kings subiects any marchandise or goods vpon the sea, the keeper of the kings p̄iue

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King Henrie the sixt.

prince Seale shall haue authoritie to make the partie grieved letters of request vnder the prince seale, without other pursuit to be made to any for restitution. And if restitution shall not be made by such letters, the King and his Council will prouide conuenient remedie according as the case requireth. *EX.*

- Falle entrie.** 4 The penaltie of him which maketh a false entrie, that the plaintife doth offer himselfe in person, where he doth not. *AB.* Appearance 1. 18.H.6.9.
- Calice** 5 A reuier of the Statute made 21.R.2.18. touching the repaire of Calice. *EX.*
- Indictment.** 6 What proces shall be awarded vpon an Indictment remoued into the B. Bench. *AB.* Indictment 4. 8.H.6.10.
- Wools.** 7 All wools and woolfels which shall be carried to any other place, then to Calice, shalbe to the King and the Finder. *EX.* 14.H.6.5.

Statutes made at Westminster 8. die Iulij, Anno 11.

H.6. & Anno Dom. 1433.

- Stewes** ¶ 1 They that dwell in the Stewes in Southwarke in the countie of Surrey shall not be impannelled in Iuries: For keepe common hostries or tauernes in any other place of Southwarke but at the Stewes. *EX.*
- Sherife disseisor.** 2 The penaltie where a Sherife is named a disseisor in Assise, to the intent he shall not serue the writ. *AB.* Assise 9.
- Perjurers of the profits.** 3 An Assise or other action shall be maintainable against the Perjurer of the profits. *AL.* 27.H.8.10. 1.R.2.9. 4.H.4.7. 1.H.7.1.
- Attaint.** 4 The Plaintifes in Attaint shall recouer their costs and dammages against the Tenants, Jurores, and Defendant. *AB.* Attaint 5. 23.H.8.3.
- Waste** 5 The remedie for him in the Reuerfion, where tenant for terme of life or yeeres granteth ouer his estate, continueth the taking of the profits, and committeth Waste. *AB.* Waste 4.
- Discontinuance.** 6 No suit before any Iustices, or Commissioners shall be discontinued by a new Commission. *AB.* Discontinuance &c. 6. 1.Ed.6.7.
- Hereford** 7 A continuance for three yeeres of the Statute of 9.H.6.7. touching extortion done by the Sherifes of Hereford. *EX.*
- Weights and measures.** 8 A confirmation of the Statute of 1.H.5.10. & 8.H.6.5. and of all other Statutes made touching weights and measures. And all Gaolers, Baylifes, and Iustices of peace shall put them in execution. *AL.* 11.H.7.4.
- Streits** 9 Clothes called Streits shall containe in length riij.yards and in breadth one yard unwatered, or else rij. yards watered. *AL.* 27.Eliz.18.
- Execution** 10 He that sueth to defeat an execution vpon a Statute being remoued by Corpus cum causa, shall finde sureties to satisfie both the King and the partie. *AB.* Corpus, &c. 2.
- Parliament** 11 The punishment of such as make assault, or fray vpon any that do come to the Parliament. *AB.* Fighting &c. 5. 5.H.4.6.
- Waxe** 12 What Ware-chandlers shall take for their wokes of ware, more then ware is worth. *AB.* Waxe &c. 8. & Inst. of peace 42.
- Bullion** 13 Wools, fells, and tinne brought to Calice, shall be sold for ready money. A certaine quantitie of Bullion shall be brought into the Mint, for euerie sack of wooll sold. *EX.*
- Shipping in creekes.** 14 It shalbe felonie to ship or carrie, or cause to be shipped or carried, any merchandises of the Staple in Creekes. *EX.* 4.H.4.20. 1.Eliz.14.
- Customer.** 15 The forfeiture of the customer, or controller, which will not make warrant to discharge the merchant that hath paid his custome. *AB.* Customes 17.
- Customer.** 16 If a Customer seale any blanke shrow with the Seale of his office: Or if any

If any merchant enter or write, or cause to be written in such blanke skroto, his goods or merchandizes, to defraud the King of his customes or subsidies, The offender shall forfeit all his goods, and be three yeeres imprisoned. Exp.

Statutes made at Westminster 10. die Octobris, An.

14. H. 6. & Anno Domini 1435.

¶ 1 Justices of Nisi prius shall have authoritie to give indgement, as well where one is attainted of Treason, or Felonie, as where he is acquite. AB. Just. of Nisi prius 7.

15. H. 6. 8. 2 All Wools and Fels that shal be shipped ouer the sea, shall be carried to Calice. 15. H. 6. 15. Calice, and there sold. And no licence shal be granted to the contrarie. Saving to the B. authoritie to modifye this statute by the aduise of his Councel. And saving to the Merchants of Jeane, Venise, Tuskanie, Lombardie, Florence, and Catolaigne, and the Burgeses of Berwicke, the liberties granted them by an other Statute. CB.

3 The Sessions of the Just. of Assise and Gaole delinerie in the County of Cumberland, shalbe holden at Carlisle. AB. Just. of Assise 6.

4 The Justices of Peace of the Countie of Middlesex are bound to keepe their ordinarie Sessions but twice in the yeere. AB. Justice of Peace 5.

10. H. 6. 7. 5 All Merchandizes shipped in Creekes shall be forfeited to the King. And he that will ship any merchandize to carrie to Calice, and doth transport them elsewhere, he shall forfeit them. Exp.

6 R. 2. 10. 6 The forfeiture of him which disturbeth any alien brynging in bitailes, to sell in grosse, or by retaille. AB. Vitailles. 2.

1 H. 4. 17. 7 Merchandizes taken vpon the Sea by any of the B. liege people, from any foriniers being in amitie with the king, but not vnder his safe-conduct, being in enemies ships, shall not be restored. Exp.

20. H. 6. 11. 8 The statute of 2. H. 5. 6. touching breakers of Truce and Safe-conducts, Truce shalbe suspended vij. yerres.

Statutes made at Westminster 21. die Ianuarij,

Anno 15. H. 6. & Anno Dom. 1436.

¶ 1 In a suit commenced befoze the Marshall of the B. house, the defendant shal not be estopped to plead, that the plantif or he are not of the B. house. AB. Marshall 2.

23. H. 6. 6. 2 Cozne may be transported without licence to any Countrie (saviug the B. enemies) when Wheat doth not exceed vij. s. viij. d. and Barley iij. s. iiii. d. the Quarter. AL. 1. Jacob. 25.

13. Eliz. 13. 3 The clause Vidimus shall not bee put in a Safe-conduct, but vpon some speciall cause: And what things be requisit to make a Safe-conduct effectuall. AB. Safe-conduct 1.

4 No person shall sue forth a Subpoena, vntill hee finde surety to satisfie the defendant his damages and costs, if he doe not verifie his Bill.

8. H. 6. 2. 5 No Shyriife, Bayliffe of Franchise, or Coroner, shall returne vpon an Accaint of plea of land, to the yerely value of xl. s. or of deeds touching land to that yerely value, or of things personall to the value of xl. l. any Incoz, except he be inhabitant in the same Countie, and hath there freehold land to the yearely value of xl. l. out of Ancient demesne, the v. Ports, & Ganelkind, if so many shall belining in the same Countie. AL. 28. H. 8. 3.

6 A restraint of vnlawfull orders made by Passers, Wardens, or Governors

King Henrie the fixt.

uernozs of guilds, fraternities, and other Companies. AL. 16.H.7.7.

Attorneyes.

7 All Abbots, Priors, and other Religious persons, and all secular persons may vnder their seales make their generall Attorneyes in every hundred and wapentake within the realme, to plead for them, and to win and lose in every manner of plea. To continue so long as it shall please the King. Q.

20.H.3.10.
13.Ed.3.1.
27.Ed.1.
7.R.2.14.

Calice.

8 No person shall ship any Merchandizes of the Staple, but at the keyes & wharfes assigned, where the Kings weights & woolls be. And every master of a ship shall find sureties to the Customor, to carrie them to Calice. Saving to the Merchants of Jeane, Venice, Bertwicke &c. their liberties.

4.Ed.4.2.
14.H.6.2.
18.H.6.15.

Statutes made at Westminster 12. die Nouembris,

Anno 18.H.6. & An. Dom. 1439.

Patents.

1 Letters Patents shall beare the date of the deliuey of the K. warrant into the Chancerie. AB. Patents 1.

23.H.8.3.

Chancelkind.

2 They which haue Chancelkind lands to the yerely value of xx. l. may bee returned in Attaints: Notwithstanding the statute of 15.H.6.5.

3.H.6.4.

Butter and Cheese.

3 The Kings liege people may carie Butter and Cheese out of the Realm without Licence, to any place being of the K. amitie. But the King may re- straine it when he please. AL. 1 & 2. P. & M. 5.

Merchants aliens.

4 No Merchant Alien shall sell any Merchandizes in England to another Merchant Alien, vpon paine of forfeiture thereof. The Maior, Bailife, or chiefe officer of the Citie, Borough, or towne where any Merchant alien shall repaire, shall assigne to euery such merchant an Host or Surueioz, who shall suruey all his buyings and sellings, and register them in a Booke, and certifie them into the Exchequer, and shall haue 2. pence in the pound for all merchandize by him bought or sold. The same Alien shall sell all his merchandize for other merchandize, or for money, and therewith buy English merchandize within viij. moneths after his arrivall, vpon paine of forfeiture thereof. The merchants of Almaine shall not be comprised in this Act. EP.

5.H.4.9.

Collectoz of fiteene.

5 No man dwelling in any City or Borough, appointed to be Collectoz for the Fiteene there, shall be Collectoz in the same Countie, out of the said City, except he hath lands to the yerely value of C.s. in the same Countie out of the said Citie, or &c.

Patents.

6 No Lands shall be granted by letters patents, befoze the K. title therunto be found by Inquisition, nor within a Moneth after the retorne thereof. AB. Patents 26.

36.Ed.3.13.
8.H.6.16.
1.H.8.10.

Office.

7 An Escheatoz shall retorne an office found befoze him into the Chancerie, or Exchequer, within a Moneth. AB. Escheatoz 10.

8.H.6.16.

Safe-conduct

8 What things be requisit thereunto to make the Kings Safeconducts effectuall. AB. Safeconduct 1.

15.H.6.3.
20.H.6.1.

Attorney.

9 The warrant of Attorney shall be entred of recozd the same Terme, that the Crigent is awarded. AB. Attorney 12.

Sewers.

10 By x. yeeres next ensuing, severall Commissions of Sewers shall bee made to diuers persons, in all the parts of the Realm, where need shall be. Exp.

Iustice of Peace.

11 No man shall be Iustice of Peace (but in certaine cases) vnlesse he hath lands or tenements to the yerely value of xx. l. AB. Iustice of Peace 3.

Indictments.

12. Appeals, or Indictments of Felonie or Treason, supposed to bee committed in a place where there is none such, shall be void. AB. Conspiracie 3.

7.H.5.1.
9.H.5.1.

Outlawes in Lancashire.

13 No man outlawed in the countie of Lancaster, shall forfeit any other lands, or goods, but such as he hath in the same Shire. EP. 3. H. 6. 2.

9.H.6.2.
20.H.6.2.
31.H.6.6.

Decies tantum

14 If any Sherife or other which hath authorizty to make arraies and pannels,

nels,

- nels, shall take any reward to make such array or etc. The partie grieved shall haue his suit against him, & reconer r. times so much as he hath receiued. EXP.
- 14.H.6.2. 15. It shall be Felonie to carpy, or cause to be carried any Wools or Fels to Calice. any other place then to the Staple of Calice: Sauing such as shall passe the streits of Parocke. CB.
- 15.H.6.8. 16 There shalbe one measure of Cloth thzough the Realme, by the yarde and the full inch, and by the yarde, & the full hand, according to the measure of Lon, don. EXP.
- 4.Ed.4.2. 17 Vessels of Wine, oyle, and honey shall be gauged: And the contents of euerie of the said vessels. AB. Wines 13.
- 27.Ed.3.8. 18 A Captaine which doth detaine any part of his souldiers wages, sauing for his cloathing (viz. r. s. a gowne for a gentleman, & vij. s. viij. d. for a yeoman for halfe a yere) shall forfeit to the King rr. l. for euerie Speare, and r. li. for a Bow from whom he doth abate. AL. 2. Ed. 6. 2.
- 1.R.3.13. 19 The punishment of a Souldier retained to serue the King in warres, which goeth not with, or departeth from his Captaine, without Licence. AB. Captaines &c. 3.

Statutes made at Westminster 25. die Ianuarij,

Anno 20. H. 6. & Anno Dom. 1442.

- 18.H.6.8. 19. All letters of Safe-conduct, which bee not inrolled in the Chancerie, before the delinerie of them, shall be void. And they which will take any aduantage of them, must haue them ready in their Ships to shew. AB. Safe-conducts 1. 2.
- 15.H.6.3. 20. No person against whom an Exigent is awarded, or Outlarie pronounced in the County of Lancaster, shall forfeit any Lands or goods, but which he hath within the same Countie: nor shall be disabled of any action, or barred to claim inheritance out of the same Countie. EXP. 33. H. 6. 2.
9. H. 5. 2. 21. It shall be high Treason for Welshmen to take and carrie away Englishmen, or their goods or cattels, into Wales or there to withhould them. EXP.
- 18.H.6.13. 22. Those Denizens which shall haue the R. Licence to carrie Wools, fels, or tinne, to any other place then to the Staple, shall pay such custome and duties to the R. as Merchants aliens doe. EXP.
- 31.H.6.9. 23. No Customer, Comptroller, &c. shall haue a Ship of his owne, vnder merchandise, keepe a wharfe, or an Inne, or be a factor. AB. Customes, &c. 23.
- 2.H.4.16. 24. The statute of 15. H. 6. 2. touching transporting of Coyne, shall be reuiued and continued untill the next parliament, or for r. yeares. EXP.
- 27.H.6.4. 25. If any bring merchandizes from beyond the seas into any port of Wales, and after conuey them into England, being not customed, or send any merchandise of the Staple out of any port in Wales beyond the sea, without paying custome, he shall forfeit them. EXP.
- 11.H.4.2. 26. The R. Purueyors who will take cattell to the value of xl. s. or vnder, and not make present payment, may be resisted. AB. Purueyors 22.
- 2.H.4.14. 27. The order of trial of Duchesses, Countesses, or Baroneses, being indicted of Treason or Felonie. AB. Trial 8.
- 7.Ed.4.1. 28. The length and breadth of all sorts of Woosteds made in Norwich and Norfolk. And a provision for the making of them. EXP.
- 23.H.6.4. 29. A repeale of so much of the statute of 2. H. 5. 6. as maketh the breaking Truce of Truce and Safe-conducts high Treason.
- 14.H.6.8. 30. There shall be a reformation of partition of wools, and woolfels, by the Papay and Constables of the Staple of Calice. Exp.

King Henrie the sixt.

Statutes made at Westminster 25, die Februarij,

Anno 23. H.6. & An.Dom. 1444.

- Purueyours** ¶ 1 A confirmation of the Statute of Purueyours, made 36. Ed.3.2. AB. Purueyours 16.17.
- Purueyours** 2 The Purueyours oath to take nothing contrary to the statute of 36. E.3.2. and Purueyours attempting to take contrarie to the said statute,shalbe resisted. AB. Purueyours 20.21.
- Thymmes** 3 Whosoener shall packe o2 ship Thymmes, o2 wollen threds, to passe beyond the sea, shall sozseit them, o2 the value of them, be one yeere impzisoned, and make fine, and ransome. EP. 8.H.6.23.
- Wozsteeds** 4 Foure Wardens to be chosen verely within the City of Pozwich, & other foure within the Countie of Pozfolke, shall set downe orders soz the true making of Wozsteeds within Pozwich, Pozfolke, and Suffolke. EP. 20.H.6.10. 7.Ed.4.1.
- Outlawes in wales.** 5 Those people of Wales which be indicted o2 outlawed of Treason, o2 felonie, and doe repaire into Herefordshire, shall be apprehended and impzisoned, o2 pursued by huy and cry. A Knight shall sozseit C.s. an Esquire xl.s. & euery other person xx.s. which doth not pursue the huy and cry. And the statute of 3. E.1.9. shall be put in execution. CB.
- Cozne** 6 The Statute of 15. H.6.2. touching transpozting of Cozne made perpetual. AL.1. Iacob.2.5.
- Head pence** 7 The gathering of head Pence by the Sherife of Pozthmberland, shall cease soz ever, vpon paine of C. l. CB.
- Sherife** 8 No man shall be Sherife, Underherife, o2 Sherifes Clerke aboue one yeere (except the Underherife within the Citie of London &c.) AB. Sherifes 4. 42.Ed.3.9. 14.Ed.3.7.
- Sewers** 9 The Chanceloz of England may grant Commissions of Sewers during xii. yerres, as it was ordained. 6.H.5.6. EP.
- Sherifes** 10 No Sherife shal let to ferme his Countie o2 any Bayliwick. The Sherife and Baylifes sees soz arrests, and making Copey of a Panel. The Sherifes dutie in bayling of persons arrested, in taking Obligations soz apparance, & making of deputies in seuerall Courts. AB. Sherifes. 5.6.7.8.9.10.11. 4.H.4.5.
- Parliament** 11 The order of leuyng the wages of the Knights of the Shire soz the Parliament. AB. Parliament 12. 35.H.8.11.
- Fozrein plea** 12 If any Tenant o2 Defendant in an action reall o2 personall, after issue ioyned & entred of recozd, and a Venire facias returned, wil after at another day plead a fozrein plea, triable in an other Court then where the wzt is bzought, o2 the suit commenced, and the demandant o2 plaintife in such fozrein plea wil plead to an issue: Such issue in the fozrein plea shall be tried where the wzt is bzought, and by the same Iurie so returned. EP.
- Servants Labourers.** 13 A seruant in husbandrie purposing to depart from his Passer, shall giue him warning halfe the yere befoze: o2 else he shal serue him the yere following. The seuerall wages of seruants in husbandrie, and of Labourers with meat and dzinke, o2 without. EP. 5. Eliz.4. 11.H.7.22.
- Purueyoz** 14 The penaltie if a subjects Chatoz do take any thing against the owners consent. AB. Purueyoz 1. 7.R.2.8. 36.Ed.3.6.
- Parliament** 15 The manner of the election of the Knight and Burgeses soz the Parliament. A remedie where he that is chosen, is left forth, and another returned, Who shalbe Knights soz the Parliament. AB. 4.5.6.7.8.9. 11.H.4.1. 1.H.5.1. 8.H.6.8.
- Gaugeoz** 16 The gauge penny shall not be paid to the Gaugeoz, until he o2 his deputy hath gauged the Wines: And then he shall take the penie, and no moze. A Gaugeoz being requested, shalbe readie to do his office vpon the paine limited by the Statute of 27. E.3.8. AB. Wines 14.

1.H.8.8.

17 Within what time, and where an Escheatoz shall take his Enquests of Escheatoz. office. An Escheatoz's fee for the finding of an office. AB. Escheator. 9.

18 No new Impositions or Charges shall be layed upon them which buy wines in Gascoigne, and Guian, by any of the Kings officers in those parts, upon paine of forfeiture of xx. l. and treble damages. CS.

¶ 1 A Statute made at S. Edmunds Burie 10. die Februarij, Anno 25. Hen. 6. & Anno Domini 1447. All graunts of Fraunchises, Parkets, Faires, and other Liberties to buy and sell within the Townes of North Wales made to any Welshman shall bee voyd. All the Kings Villes in North Wales shall bee bound to doe such labours and seruices, as they haue used to doe in olde time, notwithstanding any grant to them made to the contrarye. North Wales. A repeale.

Statutes made at Westminster 12. die Februarij,

Anno 27. Hen. 6. & Anno Domini

1448.

28.H.6.1.
4.Ed.4.5.

¶ 1 If woollen Clothes made in this Realme shall be forbidden to be sold within the Dominions of the Duke of Burgonie in Brabant, Holland, & Ze. Burgonie. land, Then no Merchandize or goods of the growing or workmanship of the lands of the said Duke shall come into England. EX.

2 Because in the raigne of King Edw. 3. Subsidies and Customes of the Staple of Calice were lxxij. p. l. yerely, and now be not aboue vij. thousand pounds in respect of severall licences granted, Therefore no licence granted, or to be granted by the King, shall be available for carriage of Wols, Felles, or Vinne to any place out of the Realme, but to Calice. And whosoever doth obtaine, accept, and put in execution any such licence, shall be out of the kings protection. EX. Custom of Calice.

4.H.4.15.
17. Ed. 4.1.
3.H.7.8.

3 Merchants Aliens, that bring merchandize into the Realme, shall bestow all their mony upon other merchandize, and carrie forth no gold or silver upon paine of forfeiture thereof. And if any doe, every person that will, shall have an Action of debt against the Customers, Comptrollers, or Searchers, in whose default such money was carried forth, and recover the value of the Merchandize brought in. EX. No gold &c. transported.

4 A continuance untill the next Parliament of the Statute of 20. H. 6. 3. Touching a punishment for Welshmen that doe carrie away Englishmen &c. Welshmen. EX.

5 Certaine feasts or daies wherein Faires or markets ought not to be kept. Faires. AB. Faires. &c. 2.

6 A Pardon by the king to all Priests aswell religious as secular.

Pardon.

Statutes made at Westminster 6. die Nouembris, An. 28.

Hen. 6. & Anno Dom. 1449.

¶ 1 The Statute of 27. H. 6. 1. Prohibiting the sale of woollen clothes in Brabant, Holland, and Zeland, reuined for 7. yeres. EX. Clothes.

3.Ed.1.31.
20.R.2.5.

2 The penaltie for taking of a horse or cart without the deliery of the owner, and of some officer: or for taking money to spare any mans horse or Cart, AB. Purveyors 13.

3 The R. pardon to those that were Shirifes, Under Shirifes or Clerkes, the last yeare before, for occupying that place aboue one yeare, contrarie to the Statute of 23. H. 6. 8. EX. Pardon.

King Henrie the sixt.

- Distresse.** 4 It shalbe Felony for any Welch or Lancashire men to take other mens goods or cattels vnder colour of distresse, where they haue no fe, seigniozie, or cause of distresse, but fained quarrels. *EP.*
- Extortion.** 5 If any of the Searchers, Controllers of search, Water-baylifes, Collectors, or Surueyors of custome, or their deputies, or seruants, &c. within the Ports of this Realm, by colour of their offices, shal wrongfully by constraint, make any distresses and arrests vpon the ships, barges, balengers, goods, or Marchandize, of any of the Kings liege Marchants: The party grieved shal haue against the offender, a generall action of Trespas, and recover xl. l. q. for the vse thereof.

Statutes made at Westminster 6. die Nouembris,

Anno 29. H. 6. & An. Dom. 1450.

- John Cade.** ¶ 1 John Cade deceased shalbe attainted of high Treason: All his lands and goods shalbe forfeited to the king, which he had the 8. day of July befoze his death, and his blood shalbe corrupted: and he shalbe called a false Traytoz for ever. *R.* 31. H. 6. 1.
- Conseruatozs of Grace.** 2 The Lord Chancelloz and one of the chiefe Iustices shal haue the like authoritie which the Conseruatozs of the Truce and Safe-conducts haue by the Statute of 2. H. 5. 6. What proces they may award against offenders. *EP.*
- Exemption at Porke.** 3 Letters Patents granted, or after to be granted to citizens of Porke to be exempt of the offices of Pairaltie, Sherifswike, Chamberlaine, Collectoz of tismes, and quinzimes, and citizen of the Parliament, shalbe void. And the citizen which purchaseth, or taketh such exemption, shal forfeit x. l. to the king, and the Payoz and citizens of Porke &c. *R.*

Statutes made at Reading, 6. die Martij, An. 31.

H. 6. & Anno Dom. 1452.

- John Cade.** ¶ 1 John Cade, calling himself Mortimer, and Captaine of Kent, attainted of high Treason: And all inditeiments and acts done by this authoritie repealed. *R.* 29. H. 6. 1.
- Contempt.** 2 Such as hauing receiued the R. writs vnder the great Seale, or letters vnder the priue Seale, or warned by Proclamation, to appeare befoze the R. Councell, or the Chancerie, doe disobey, or refuse, at the first time shal lose all his offices, fees, and other possessions which he hath of the R. gift, At the second Proclamation shal lose for the terme of his life his Title of honoz, and place in Parliament, and all his lands. And a man of liuing vnder the estate of a Lord, shal pay fine according to the discretion of the two chiefe Iustices. And hee that hath no land, shal be out of the R. protection. *EP.*
- Marches.** 3 Attachments in the East and West Marches toward Scotland, shal be made in Cumberland, Northumberland, Westmerland, or the towne of Petercastle vpon Wine only. *EP. 4. l. ac. 1.*
- Safe-conduct** 4 By what meanes he shal obtaine remedie, who hauing a Safe-conduct is robbed vpon the sea. *AB. Safe-conducts 3.*
- Officers.** 5 No Customer, Controller, Aulnager, &c. shal haue any estate certaine in his office, but remaine remouable at the R. pleasure. *AB. Offices 2.* 14 R. 2. 10.
17. R. 2. 5.
- Lancashire.** 6 The statute of 20. H. 6. 2. touching the forfeiture of those which bee outlawed in Lancashire, made perpetual. *EP. 33. H. 6. 2.* 1. H. 4. 13.
- Resumption.** 7 Whereas by a statute not printed, made Anno 28. H. 6. The king did take

take, resume, seile, and retaine in his hands and possessions, all honours, man-
nours, lands, tenements, rents, &c. which he had graunted by his letters Pa-
tents, or in any other manner, sithente the first day of his Reigne. And that all
grants of rents charge, or annuities to be taken out of his Customes, Subsi-
dies, Aulnage, Hamper, or Recett, shalbe void. But fees, rewaros, wages, and
profits of old time belonging to those offices, shall not be comprised within the
said Act of Resumption.

8 A Subsidie befoze granted to the king, of wools, Felles, and Cloth tran-
sported, in some sort qualified. EXP. Subsidie.

9 A remedie for a woman which is enforced against her will to be bound by
Statute or Obligation AB. Women 14.15. Women.

Statutes Made at Westminster 9. die Iulij.

Anno 33. Hen. 6. & Anno Dom. 1455.

1 A remedie for Executors, against the Servants of their Testator, which
imbeziled their Masters goods after his death. AB. Executors 5. Servants

2 A repeal of the Statute of 31. H. 6. 6. touching the forfeiture of such as be
outlawed in the Countie of Lancaster. By what Jurors an Indictment shall
be found in the Countie of Lancaster, of a forein dwelling in an other County
Eeconuerlo &c. AB. Jurors 17.18. Indictment in
Lancashire.

3 Ordinances what fees the Clerkes and Officers of the Erchequer shall
take of Accomptants, and their penaltie for extortion. EXP. Erchequer.

4 Whosoever commonly bring Ale or Beere in kent to sell, shall make,
or cause to be made above 100. quarters of Mault, shall forfeit 1. li. EXP. Mault.

3. Ed. 4. 3.
22. Ed. 4. 3.
1. R. 3. 20.
1. H. 7. 9.

5 So wrought Silke belonging to the Pisserie of Silke women (except
Cirdles that come from Jeane) shall be brought into this Realme by the way
of Merchandise, upon paine of forfeiture thereof. EXP. Silke.

6 The Abbot of Fountaine in the Countie of Dorset, in a suit commenced
against him in a Court Baron, Wapentake, &c. may wage his law by his At-
torney, where wager of law is allowable. And he may doe his law by a Monk
of the same house, and six others authorized by the common seal of the same
Monasterie. EXP. Fountaine.

7 There shall be but six common Attornies in Dorset, six in Suffolke, Attornies.
and two in Dorset, to be Attornies in Court of Record, which shalbe ele-
cted and admitted by the two cheife Justices. Q. whether in force, for it is not in
vfe.

Statutes made at Westminster 7. die Octobris,

Anno 39. H. 6. Anno Domini 1460.

1 A repeal of a Parliament holden at Couentrie 20. die Nouembris,
Anno 38. H. 6. And all Actes, Statutes, and ordinances made by authoritie of
the same Parliament shall be reuerled, viz. being Statutes not printed. Repeal.

2 A woman of the age of xiiij. yeares at the death of her auncestoure shall
haue Luerie of her landes. AB. Wardes 12. A woman
Luerie.

King Edward the fourth.

Statutes made at Westminster 4. die Nouembris,

Anno 1. Ed. 4. & Anno Dom. 1461.

King. H. 4.
H. 5.
H. 6.

What Acts done by king Henry the fourth, H. 5. and H. 6. the first late kings of England in dede, but not of right, or by others in the time of their Raignes, shall continue good, and effectual, and which not.

Indictments
in Turnes.

2 Indictments taken in Sherifes Tournes shall be deliuered to the Iustices of peace, who shall awarde p[ro]ces against the persons indicted, and deliuer the estreats to the Sherife. AB. Sherifes 12. 13. 14. 15.

Statutes made at VWestminster 29. die Aprilis,

Anno 3. Ed. 4. & Anno Dom. 1463.

Merchants.

1 No Alien shal ship or carrie out of the Realme any woolls, fells, mozlings or shoylings, neither shall any Dinizen carry them but to Calice, Except such as be growing in Northumberland, & Cumberland, or Westmerland, and the Bishopricke of Durham, which shalbe carried to Newcastle. Every Merchant shall receiue for his merchandise of the Staple ready payment, whereof the one halfe shalbe in Bullion of gold or siluer, which shalbe coined at the Mint of Calice. Whosoever windeth any deceitfull thing in wooll, shall forfeit vij. s. for every fleece. If any English or Welch-man shall bring in, or carry forth any Merchandise in any Aliens ship, if he may haue fraught in a Denizens ship, he shall forfeit his Merchandise. EXP.

4. Ed. 4. 3.
12. Ed. 4. 5.

Price.

Cozne.

2 A restraint of bringing Cozne into the Realme, vntill it shall exceede certaine prices. AB. Corne 9.

5. R. 2. 3.
14. R. 2. 6.
4. H. 7. 10.

Silke.

3 Whosoever shall bring any wrought Silke into this Realme to be sold, concerning the misery of Silkeworkers, shal forfeit the same, and ten pounds EXP.

33. H. 6. 5.
23. Ed. 4. 3.
19. H. 7. 25.

Merchandise

4 Certaine Merchandises not lawfull to be brought into this Realme reauyngt. AL. f. Eliz. 7.

1. R. 3. 12.

Apparell.

5 What kind of Apparell men and women of each vocation, and degree are allowed, and what prohibited to weare. EP. 22. Ed. 4. 1.

Statutes made at Westmin. 21. die Januarij,

Anno 4. Ed. 4. & Anno Domini 1464.

Cloth.

1 The length, and breadth of broad Clothes, Streits, and Kersies made to be sold. No Lambs wool, flockes, or cozke shalbe put into Clothes to be sold. Sealing of Clothes. The Treasorer of England may let the Aulnage to farne EP. 5. E. 6. 6. No Clothes wrought beyond the sea shalbe brought into England. AB. Draperie 101.

17. Ed. 4. 5.

11. Ed. 3. 3.

Calice.

2 All woolls, fells, mozlings, and shoylings to be transported, shall be shipped at those Ports where the King hath a Beame, waights, and a Collecto[er] of customes, and shalbe carried to Calice. And the merchant shall bring a Certificate thereof from the Customer of Calice. EXP.

14. H. 6. 2.
15. H. 6. 8.
18. H. 6. 15.

Staple.

3 The Woolls, fells, mozlings, and shoylings of Northumberland, Cumberland, Westmerland, Richmondshire, Northalertonshire, and the Bishopricke

12. Ed. 4. 5.
3. Ed. 4. 1.

shopricke of Durham onely and of none other Countie, shalbe carried to Newcastle, and of all other Shires, to the Staple of Calice, vpon paine that e- uery offendor that transpourteth them in other sort, shal forfeit double the value thereof. EXP.

17. Coun-
ties.

4 No person shall buie, or take any promise of bargaine, for any *Woolles* in the Countie of Berks. Drfozd. Gloucest. Shrop. Herefozd. Worcester. Wilt Somers. Dorset. Hamth. Essex, Camb. Dorst. Suff. Kent, Surrey, and Sussex, or of any of them, before the same be shorne, and vntill Bartholmew day follo- wing, but they which shal make cloth or yarne of them vpon paine of forfeiture of the double value the reof. EXP.

4 H. 7. 21.
21. H. 8. 1.
37. H. 8. 25.

27. H. 6. 1.
28. H. 6. 1.

5 No Merchandise of the growth or woorkmanship of any of the Countiees subiect to the Duke of Burgonie, shalbe brought into this Realme, vntill he reuoke a Proclamation made for the banishment of English clothes and yarne out of his Dominions. EXP.

Duke of
Burgonie

6 A qualification of the Statute of 5. H. 4. 9. viz. Customers and Comp- trollers shall take bonds of Merchants Aliens alone (and not with sureties) to imploy the money comming of their merchandise, vpon the commodities of this Realme. And after the bond perfozmed, they shall deliuer it. EXP.

Suerities of
Merchantes.

7 No Shoemaker or Cöbler in London, or within thre Piles compasse thereof, shall make any Shooes, or Bootes, with any pike or poleyn passing the length of two ynches: Nor shall sell, nor pull vpon the legges or foote of any person, any shooes, buskins, or bootes vpon the Sunday, the Patinitie, or Al- cention of our Lord, or Corpus Christi day, vpon paine of forfeiture of xx. s. for euerie offence. But this shall not be pzeiudiciall to the Deane of S. Martines the graund, nor to any person dwelling within S. Martines. EXP. 14. H. 8. 9.

Shoemakers.

5. Eli 8

1. Jacob. 22.

8 No Stranger shall buy any English Hoznes vntowought, gathered or growing in London, or within rriig. Piles thereof. The wardens of the Hoz- ners of London may search all ware belonging to their Mysterie within Lon- don, and rriig. Piles thereof. And in Sturbzidge and Ely Faieres. EXP. 1. Iac. 25. S. 7. Iac. 14. AB. Hornes 1. &c.

Hozners.

4. H. 5. 3.

9. Ed. 3. 8.
15. R. 2. 10.

9 Pattenmakers may make Pattens of such timber of Aspe, as is not fit, Pattens: or sufficient, to be made into shaftes. EXP. 1. Iac. 25.

16 No Pilgrime, Merchant, or other person, horse, or beast, (except Soul- diers, and Merchants with their merchandise) shall take their passage at any o- ther port or place in Kent, but onely at the Port or Towne of Dover. Neithez shal any of them come from Calice to any place in Kent but to Dover, without the Kings licence in wyting, vpon paine to forfeit fine Markes.

Passage at
Douer.

Statutes Made at Westminster 3. die Iunij.

Anno 7. Ed. 4. & Anno Domini 1467.

20. H. 6. 10.
23. H. 6. 4.

4. Ed. 4. 1.

1 The election of the Wardens of Woosteede weauers within the Citie of Norwich, and the Countie of Norffolke. Where Dath, authoritie, sea- ling, searching, &c. AB. Worsteeds 1.

woosteed.

2 The Inhabitants of the Hundzeds of Liffon, Tauesstocks, and Rowburgh in the Countie of Deuon, may mire, and put flockes in the Cloth made of the woll growing within the said Hundzeds, and may sell the same Cloth with- out dammage. AL. 5. Ed. 6. 6. S. Draperie 57: 122. 127.

Cloth.

King Edward, the fourth.

- Cloth fulled.** 3 No person shall carrie beyond the Sea any woollen Parne, or Cloth not fulled. AB. Draperie 99. 3.H.7.111
- The Kings grant.** 4 The Kings grant, release, confirmation, and restitution made to any person of lands, whereunto the said person befoze had any title, shalbe of such force and effect, as they were befoze the beginning of the Parliament. EXP.
- Services reviled.** 5 Lands holden by fealtie, rent, or other services, of a common person not attainted, comming to the Kings hands by attainder of Treason, being after granted to an other by the Kings, shalbe holden as if the said attainder had not bene. Q. Whether generall, and in force, or not.

Statutes made at a Session of Parliament holden at Westm. by
prorogation 12. die Maj, An. 8. E. 4. & An. Dom. 1468.

- Clothes.** ¶ 1 The length, bredth, and weight of broad set Clothes, and streit set Clothes made within the counties of Suffolke, Suffolke, and Essex. And they shalbe sealed by the Aulnagers seale printed in ware. BP. 5. Ed. 6. 6. Seal printed in ware
- Liveries.** 2 The penalty for giving or taking of Liveries, or Badges, or for retaining: And at what time, by whome, and for what causes the same is infittable. AB. Liveries 5. 6. 1.H.4.7
- Jurors.** 3 In actions triable in any Courts at Westmister by Jurors of Middlesex, at the fourth day after the retourne, the Jurors shalbe called. AB. Jurors 35.
- Pardon.** 4 A pardon graunted to all those which occupied above one yeare the office of Sherife, Undersherife, or Sherifes Clerke the 1. 2. or 3. yeares of H. Ed. the fourth. And yet the Statutes of 14. Ed. 3. 7. 42. Ed. 3. & 23. H. 6. 8. for all other yeares shall continue. EXP.

Statutes made at Westm. 6. die Octobris,
Anno 12. Ed. 4. & Anno Domini 1472.

- Sherife.** ¶ 1 A Sherife being not lawfully discharged, may occupie his office during Michaelmas Terme wherein his Sherifewike endeth, notwithstanding the Statute of 25. H. 6. 8. AB. Sherifes 4. 17. Ed. 4. 6.
- Woolstanes.** 2 Foure Woolstanes shalbe brought into this Realme for euery Tun of merchandise. AB. Bowes 1. 13. Eliz. 142
- Subsidie.** 3 Generall ordinaunces made for the true payment of a subsidie of Tonnage and Bondage graunted to the King during his life by a Statute not Printed, made An. Ed. 4. EXP. Cloth of gold, siluer, bodkyn, velvet, damaske, &c. shalbe surueyed, measured, and sealed by the Customer. AB. Customes 12. 4. H. 8. 6.
- The Princes Liverie** 4 Edward Prince of Wales, Duke of Cornewall, and Carle of Chester, the Kings eldest son may giue his honorable Liurey and Signe at his pleasure notwithstanding any Statute &c. EXP.
- Woolls transported.** 5 All woolls, fells, moolings, and thoolings, growing within Cumberland, Northumberland, Westmerland, the Bishopricke of Durham, Richmond, and Alderton shire, to be carried out of this Realme, shalbe shipped at Newcastles upon Tyne onely, and from thence shalbe carried to Calice or Middleborough And all woolls, &c. growing in all other parts of England and Wales, shalbe carried to the Staple of Calice, upon paine of Felonie. Saving the Kings prerogative to grante licence to the contrarie. EXP. 4. Ed. 4. 3. 3. Ed. 4. 1. 14. Ed. 4. 3.
- Sewers.** 6 The Lord Chancelor shall have authoritie for xv. yerres next, to graunt severall Commissions of Sewers into all the parts of this Realme, according to the forme and effect limited in the Statute of 6. H. 6. 5. 6. H. 6. 7. 18. H. 6. 10. 23. H. 6. 9. 4. H. 7. 1.

7 The

7 The penaltie of the offender, if a Commission be awarded according to the Statute of 1. H. 4. 12. for pulling downe of weares, stankes, kidles, &c. and that the Commissioners award be not perfozmed. AB. Weares 5. 6. Weares.

8 All Letters patents graunted by the King to any persons for searching, and surueying of Wine, Ale, Beere, and other vitale, shalbe void. And no person other then Maiors, Baylives, or like Gouernours &c. shall exercise any such office. AB. Vitales 4. Surueying of vitales.

9 No man shall take vpon him to be Escheatoz, vnlesse he haue xx. li. land or rent in the same County. AL. 1. H. 3. 8. No Escheatoz shal set, or let his office to ferme, or make any Deputie, but for whom he will answer. AB. Escheatoz 12. Escheatoz.

Statutes made at VWestminster at the Session of Parliament
begun by prorogation the 23. day of February,
An. 14. Ed. 4. Anno Dom. 1474.

¶ 1 Certaine Liberties granted to those, which holding their lands of the King, shall passe ouer the Sea, with the King in his service of warre. EXP. Liberties.

2 The same Law, and the same protection that was granted by the Statute of 9. H. 3. 1. to those which were then in pormanbie, or would then passe with Henry the fift into France, shall be obserued, and available for all such as shall passe ouer the Sea with the king. EXP. Protection.

3 An alteration of part of the Statute of 12. Ed. 4. 5. Touching the transpoting of the wolls growing in Cumberland &c. which hereafter shalbe shipped at Newcastle, and from thence conueied to Calice, or to Barwicke in Habant or to any other place at the Kings pleasure. EXP. Wolls transpoted.

4 A confirmation of all Statutes, not repealed, made against the breakers of Truce, Leagues, Safeconducts, and Licences: Sauing the Statute of 2. H. 5. 6. League.

Statutes made at Westmin. 16. die Ianuarij,
Anno 17. Ed. 4. & Anno Domini 1477.

¶ 1 No Irish Money shall run in payment in England or Wales. It shall be felony to carry out of England or Wales any Coine of this Realme, or other Realmes, or any Plate, Bullion, or Jewels of gold or siluer, without the kings licence (except Prisoners raunsomes, Souldiers Money &c.) No person shal melt any Money of gold or siluer sufficient to runne in payment. All things wrought of siluer to be solde, shalbe as fine as the Starling, and shalbe marked with the Leopards head, and the workemans marke. EXP. All Merchants Aliens shall imploy the money receiued for there Merchandises vpon the commodities of this Realme. AB. Merchants 9. Money.

2 The penaltie of the Steward &c. in a Court of Pipowders, for holding plea there, if the plaintife shall not be deposed, that the contract or other fact was made in the time, and Iurisdiction of the same Sayre. AB. Faires 3. Pipowders.

3 Whosoener shall occupie a house or place of clothe, kales, halfe bowle, handin, handout, or quackborde, shalbe thre yeares imprisoned, and forfeit xx. li. And he that will vse any of the said games, shalbe two yeares imprisoned, and forfeit x. li. EXP. 33. H. 3. 9. Unlawfull games.

4 The preparation of earth for the making of Tiles, and the length, breadth and thiknesse of them. AB. Tiles 1. &c. Tiles.

5 An alteration of some part of the Statute of 4. Ed. 4. 1. Touching the sealing Clothes.

King Edward the fourth.

ling of Clothes with ware, and concerning the letting to farme the subsidie & Aulnage of Clothes. EP. 5. Ed. 6. 6.

Sherife. 6 The old Sherife may execute his office during the residue of Michaelmas and Hillarie Terme, after his yeare ended, if he haue not befoze his wyit of discharge. AB. Sherifes 4. 23. H. 6. 3.
12. Ed. 4. 1.

Repeale. 7 A repeale of a Parliament holden An. 9. Ed 4 & An. 39. H. 6. and of all the Acts and Statutes made therein, and of all Cremplifications of the same.

Statutes made at Westminster 20. die Ianuarij

Anno 22. Ed. 4. & Anno Domini 1482.

Apparell. ¶ 1 A Repeale of all former Statutes touching Apparell. What kind of Apparell Tempoꝛall men of each degre are allowable, and what prohibited to weare. EP. 1. H. 8. 14.

Fish. 2 The contents of enery But, Barrell, halfe Barrell, and other vessels of Salmons, Herrings, and Celes: and how fish shalbe packed. AB. Fish 8. 9. 10. 11. 11. H. 7. 2;

Silke. 3 No laces, ribands, cozles, girdles, calsilke, oz Colein silke twined oz wrought, shalbe brought into England to be solde, bpon paine of the forseiture thereof, oz the value. EXP. 33. H. 6. 5.
3. Ed. 4. 3.

Bowes. 4 Whosoever selleth a long Bow of Cwe, aboue iij. s. iij. d. shal forseit xx. s. EP. 8. Eliz. 10. 3. H. 7. 13.

Fulling of Caps. 5 No person shall full oz thik any Hats, Bonets, oz Cappes double oz single, at any fulling Mill, oz set to sale any so fulled oz thicked, bpon paine to forseit xl. s. EXP. 7. Ed. 6. 8;
1. Jacob. 25

Swannes. 6 No person shall haue a marke, oz gaine of Swannes, vnlesse he hath fine Parkes land. AB. Swannes 1

Woods. 7 Woods felled in any Forrest, oz parlien, may be inclosed, and kept seueral by. yeares. AB. Woodes 25.

Berwicke. 8 Merchandises carried into, oz fetcht out of Scotland, shalbe first brought to Berwicke. AB. Berwicke 1. The Merchants and free men of Berwicke shall haue to ferme the Waters Royall, and fishing places within the saide Towne and seigniozie of the same, paying as much as any other will. RR. 1. Jacob. 28

Statutes

Statutes made at Westminster 23. die Ianuarij,

Anno 1. Rich. 3. & Anno Dom. 1483.

- 19.H.7.15. **1** All Estates made by Cestuy que vse, and all reconeries and executions Cestuy que
had against him, of lands, rents, services, or other hereditaments shalbe vse.
good against him, and his heires, and his feoffees in trust, their heires
and assignes, saving every estate in taile. AL. 27. H. 8. 10.
- 2** The subiects of this Realme shal not be charged with a beneuolence or Beneuolence.
such like charges or impositions. EXP.
- 3** Every Justice of peace hath authoritie to let a prisoner to mainprize, AL. Felons.
3.H.7.3. Justices of peace shal haue authoritie to enquire of escapes of felons.
AB. I. of peace 19. No Officer shal seise the goods of a prisoner untill he be at-
tainted. AB. Sherifes 24.
- 4** Of what credit and estate those Jurors must be, which shalbe impanelled Jurors.
in the Sherifes Turne. AB. Jurors 14.
- 5** Those lands whereof R. Richard was infeoffed to the vse of others, befoze R. Ric. seoffed
he was King, shal best in such persons, as if he had not beene named in the in trust.
feoffments. EXP.
- 6** The Statute of 17. Ed. 4. 2. made perpetuall touching a suit commenced Disputewders
in a Court of Disputewders. AB. Faires 3.
- 4.H.7.241 **7** After the ingrossing of a Fine leuied befoze the Just. of the common place Fines.
and proclamations made, who shalbe bound thereby. AB. Fines 3. 4. 5. 6. 7. 9. 10.
- 8** Of what length and breadth, whole clothes, halfe clothes, freits, and Clothes.
kerkes shalbe made. Of what abilitie an Aolnager must be, and what clothes Aolnager.
he may seale. AB. Draperie 85. 88.
- 9** Italian Merchants not made Denizens, shal sell their Merchandises in Merchants.
grosse, and not by retaille, and that in the place where they dwell: and they shal Aliens.
sell the same within eight Moneths after their arriual, and shal carry away
so much as they cannot sell within that time. They shal not sell any Merchan-
dises in the Realme, which they buy in the Realme. They shal make no cloth,
nor put any wool to make cloth, upon paine of forfeiture of al the said merchan-
dises, Cloth, &c. to the king, and him that will seise, or sue for the same, by A. of
1.H.7.10. debt, &c. No stranger shal sojourne a stranger not being of the same Nation.
21.H.8.16. They shal not occupy any handicraft within this Realme. They shal take no
Apprentices but the kings subiects. AB. Aliens 1. 9. 10. Aliens may bzing into
this Realme, sell, or retaille bookes. EXP. 25. H. 8. 15.
- 1.H.7.9. **10** The Statute of 22. Ed. 4. 3. prohibiting wrought laces, &c. of silke, to be Silke,
brought into this Realme, continued for 1. yer. EXP.
- 6.H.8.11. **11** Ten Bowstaues shal be brought into this Realme, for every But of Bowstaues.
Palmeise or Tire. AB. Bowes 2.
- 3.Ed.4.4. **12** Certaine Merchandises which it is not lawfull to bzing ready wrought Merchandises.
into this Realme to be sold. AL. 5. El. 7.
- 27.Ed.3.8. **13** The contents of every Tunne, Pipe, But, Tertian, Hoghead, Barrel, Hells.
18.H.6.18. and Rundlet of wine or oyle. And they shal not be sold untill they be gauged. Gauging.
28.H.8.14. AB. Wines 13.
- 14** Accomptants for Dismes are not chargeable to answer other mens suits Accomptants
in the Erchequer. AB. Accomptants &c. 49.
- 15** All L. patents, grants, Acts, of Parliament, estates, &c. of any manors, Elizabeth
lands, &c. made to Elizabeth late wife of Sir John Gray, and now calling her Gray.
selfe Queene of England, shalbe void. R.

King Henrie the seuenth.

Statutes made at Westminster 7. die Nouemb.

Anno 1. Hen. 7. & Anno Dom. 1485.

Perpetrator of profits.

1 **A** Formedon in descender or remainder is maintainable against the Perpetrator of the profits of those lands, whereof any person or persons be enfeoffed to his use, who shall have voucher, aide, praise, and other advantages, as if he were tenant in deed. And his heire within age shall have his age: and all recoveries had against him shall be as good as if he were terretenant. AL. 27. H. 8. 10.

1. R. 2. 9.
4. H. 4. 7.
11. H. 6. 3.

Aliens.

2 Aliens made Denizens, shall pay such customs and subsidies as they did before. AB. Customs 13.

11. H. 7. 14.
12. H. 8. 8.

Calice.

3 No protection shall be allowed in any Court in Calice, or the Marches thereof. EXP.

Incontinency

4 Priests and Clerkes shall be punished for incontinency, by their Ordinaries. AB. Incontinencie 1.

Tanner.

5 No Cordwainer shall be a Tanner. No Tanner shall curry leather. No Currier shall curry any hide, but which is sufficiently tanned. No tanner shall put leather to sale, but red, as it cometh from the tanner, No Tanner shall tan sheepskins. EP. 5. Eliz. 8.

2. H. 6. 7.
19. H. 7. 16

Baron.

6 A Baron or Protection for them who assisted the King in his warres against Rich. late Duke of Gloucester. EXP.

Hunting.

7 The penaltie for hunting in the night, or with disguising, and being examined to conceal the offence, or any offender. AB. Iustices of peace 16. Hunting 4.

3. Ed. 1. 20.

Wines.

8 No Gascoigne or Gaie wines shall be brought into the kings dominions but by English, Welch, or Irish mariners, and English, Welch, or Irish mens ships. EXP.

Silke.

9 A reuener for xx. yeares of the Statute of 22. Ed. 4. 3. restraining the bringing into this Realme of wrought laces, girdles &c. EXP.

33. H. 6. 5.
3. Ed. 4. 3.

Penalties.

10 The penalties mentioned in the Statute of 1. R. 7. 9. touching Italian Merchants reuoked for all others, and onely given to the king.

Statutes Made at Westminster 9 die Nouemb.

An. 3. H. 7. & Anno Dom. 1487.

Starre Chamber.

1 The authoritie of the court of Starre Chamber. AB. Courts. 4. Iustices of peace may charge an Enquest to enquire of the concealment of another enquest. AB. Jurors. 9. The Coroners dutie after a murder committed. AB. Coroners. 12. 13. 15. A Justice of peace shall certifie a Recognizance by him taken for the keeping of the peace, at the next Sessions. AB. Iustice of peace 105. Indictment and appeale of murder. AB. Murder 1. &c.

21. H. 8. 30.

Women.

2 It shall be felonie to take and carry away a woman against her will, that hath lands or goods, or is heire apparant &c. AB. Women 12.

38. Eliz. 9.

Prisoners

3 Two Iustices of peace in euery Shire, Citie, and Towne, whereof one to be of the Quorum, may let any prisoners to baile, which be mainpernable by the Law, untill the next generall Sessions of the peace or untill the next generall Coale delinerie. AL. 1. & 2. P. & M. 13. The Sheriffe shall certifie the names of all the prisoners in his custodie at the next generall gaole delinerie. AB. Prisoners 3.

Fraudulent, trades

4 All Deedes of gift of goods made of trust to the use of them which made

2. R. 2. 3.
13. Eliz. 5.

made them to defraude Creditors of their duties,shalbe voided. AB. Fraudulent deedes 1.

5 All bargaines,couenants,promises, and suerties, termed by the name of *Dye exchange*. Betw Cheuifance, or Dye Exchange, whereby any certaine sum of money shal be lost,shalbe voided. *HP. 11. H. 7. 8.*

6 All vnlawfull Cheuances, and *Usurie* shalbe extirpat. All *Brokers of Usury*. such bargaines shalbe set on the *Dillorie*, put to open shame, be halfe a yeaere imprisoned, and pay *xx. li.* *HP. 37. H. 8. 9.*

7 There shalbe a certificat made of goods bzought into one Port, and custo. Customs. med, and then remoued into another. And the certificat shalbe entered into the Customers booke. No man shall enter goods in the name of another, whereby the King shall loose his custome. A common officer in any Citie Bozough, &c. shalbe no customer, controller, or Searcher there. AB. Customs 15. 16. 19. 22.

8 Merchants Aliens, and of Ireland, Wernsey, and Gernsey, and victuallers Merchantes. shall imploy the Money by them receiued, vpon the Merchandises of this Realme. AB. Merchants 9. 10.

9 Citizens and Frémen of London may carrie their wares, victuall, and Londoners. merchandises to any Fayres or Markets that they will. AB. Fayres 11.

10 Costs and dammages awarded to the plaintife in some cases, where the Erroz. defendant sueth a lozit of Erroz before execution. AB. Damages 5.

11 No cloth shalbe transported, before it be barbed, rowed, and thozne. AB. Cloth. Draperie 98.

12 The Kings officers, or Tenants, shal not be retained by lineries, signes Ameries. tokens, oathes, or promises with others. AB. Lineries 7. 8.

13 Whosoener shall sell a long Bowe above the price of *ij. s. iij. d.* shall Bowes. forfeit *xl. s.* *HP. 8. Eliz. 10.*

14 Conspiring to destroying the King, or any Lord, or any of the Kings Conspiracie. Councell, or the Steward, Tresorer, or Controller of the Kings house, shalbe Felonie. AB. Conspiracie 4.

Statutes made at Westminster 13. die Ianuarij,

Anno 4. H. 7. & Anno Dom. 1488:

6 H. 6. 5. 12. Ed. 4. 6. ¶ 1 The Chancelor of England may graunt Commissions of Sewers Sewers. into all the parts of England, and into the Parches of Calice, Guines, and Hammes, during *xxv. yeaeres* next. EXP.

2 To what intent any parter or finer of Gold or Silver shall allay, or melt Gold and Silver. the same, and to whom he shall sell it, and to what purpose. And he shall set his marke vpon it. AB. Gold &c. 1. 2.

3 Butchers shal kill no beasts within any walled Towne, nor in the towne Butchers. of Cambridge. AB. Butchers 3.

3 H. 8. 4. 4 Protections granted to them which then were, or after should be in the Protections. Kings seruice in Britaine: And certaine immunities granted to them, and certaine to the feoffés, executors, and heires of them that shall die in that seruice. EXP.

5 A Repeale of all L. Patents granted by the King, or any of his Proge. L. Patents. nitors, to any Spirituall persons, to be discharged of the paliment or collection of Dismes. EXP.

9 A Repeale of all L. Patents granted of any Office within the Forrest of Englewood. Englewood in the Countie of Cumberland, so that the Dère were destroyed, (saining to the Lord Decres, and Earle of Northumberland.) EXP.

7 Offices

King Henery the ſeuenth.

Officers.	7 Offices and fees granted to yeomen of the Crowne, and groomes of the kings chamber, ſhalbe no longer of force, then when they giue their attendance EXP.	
Prices of clothes.	8 Whosoever ſhall ſell by retaile a broad yarde of the fineſt Scarlet grained, or other grained Cloth of the fineſt making aboute xvj. s. or a broad yarde of any other coloured Cloth aboute xj. s. and euery other Cloth of meaner goodnes according to the rate, ſhall forfeit fortie ſhillings for euery yard ſo ſold. CB.	
Hats and caps.	6 No Hatter or Capper ſhall ſell any Hatte above the price of twentie pence the beſt, nor any Cappe above the price of two ſhillings eight pence the beſt, vpon paine to forfeit fortie ſhillings for euery Hatte or Cappe ſold aboute. EP. 4. H. 8. 15.	
English ſhips	10 No Gaſcopne or Guian wines, or Tholonſe wood ſhalbe brought into this Realme, but by English ſhips, and English maſters, and mariners. AL 5. Eliz. 5. No perſon ſhall freight in a ſtrangers ſhip any merchandise, to be brought into this Realme, or carried forth, if he may haue ſufficient freight in the ſame Port in Denizens ſhip. EP. 1 Eliz. 13.	5. R. 2. 3. 5. & 6. Ed. 6. 18. 5. R. 2. 3. 14. R. 2. 6.
Wools	11 No perſon ſhall buy, or take promiſe of bargaine of any woll that ſhall grow in Hertfordſhire, Barkſhire, &c. befoze the Aſſumption of our Ladie, next after the ſhearing thereof, but ſuch as ſhall make yarne or cloth thereof: For any Merchant ſtranger befoze the purification of our Ladie next after the ſhearing thereof, vpon paine of forfeiture of the double value thereof. EXP.	18. counties 4. Ed. 4. 4. 22. H. 8. 1. 37. H. 8. 15.
J. of peace	12 A Proclamation ſhalbe made in all the Counties of this Realme at euery of the foure Quarter ſeſſions, That all Juſtices of peace ſhall execute their Commiſſion, redreſſe Injuries, and maintaine the Lawes. CB.	
Clergie.	13 Clergie ſhall be allowed but once. A conuict perſon ſhall be marked with the Letters P. or T. for Purder or Theft. AB. Clergie 16. And he that is within Orders ſhall at the ſecond time ſhew his Orders, or his Ordinaries Certificate, or elſe he ſhall loſe the benefit of his Clergie. EP. 28. H. 8. 1.	
Earldome of March.	14 All Writings whereof ſealing is requiſite to be made by the king of any parcell of the Earldome of March, ſhalbe vnder the great ſeale. AB. Crowne 13.	
Thamife.	15 The Maior of London and his ſucceſſors ſhall haue the like conſervation and authoritie in all the Iſſues, Breaches, and ground ouerfloven, as farre as the water ebbeth and floweth, growne out of the riuer of Thamife as touching the puniſhment for vſing of vnlawful nets and engines, as he hath with in the ſaid Riuer. RR.	
Farmes.	16 The penaltie for taking of moze farmes then one in the Iſle of Wight AB. Earmes 1.	52. H. 8. 13.
Cestuy que vie his heire	17 The heire of Cestuy que vie (holding his lands by Knights ſeruiſe, and declaring no will) being within age, ſhalbe in ward, and being of full age ſhall pay reliefe: And ſhall haue an action of waſt againſt his garden committing waſt. AL. 27. H. 8. 10. & 34. H. 8. 5.	15. H. 3. 6.
Forging of Money.	18 The forging of the coyne of other Realmes, allowed to be current within this Realme, ſhalbe high Treason. EP. 1. M. 1. & 1. Ed. 6. 12.	1. M. 6.
Houſes of husbandrie.	19 If the owner of any houſe, that within thre yeares befoze hath beene now is, or hereafter ſhalbe letten to ſarme with xx. acres of land at the leaſt, lying in Village, ſhall not maintaine houſes vpon the ſame ground and land, conuenient	7. H. 8. 11. 27. H. 8. 22. 5. Ed. 6. 5. 2 & 3. P. & M. 2.

conuenient for the maintenace of Tillage. The chiefe lord of whome the same lands be holden, may receiue halfe the value of the profits of such lands, untill the houses be againe repayed, and distraine for the same. *HP. 39. Eliz. 1.*

20 Actions populer prosecuted by collusion, shalbe no bar to those which be pursued with good faith. *AB. Actions 1.*

27. El. 2.

21 No stal botes, nets, or engines shall be used for the taking or destroying of any frise or bzeede of fish in the haue of Oxford in the County of Suffolke. upon paine of forfeiture of *r. l.* for every offence. *EXP.*

22 If any person bying, or put to sale any gold of Venice, Florence, or Icaue for a pound weight, which doth not containe *xij.* Dunces, or that the Gold packed be not in greatnesse of thzed and colour wrought accordyng to the outward shew thereof, he shall forfeit the same, or the value thereof. *EXP.*

23 The Statute provided *17. Ed. 4. 1.* against the transporting of Money, plate, or Jewels, remiued for *xx.* yeares. *EXP.* No person shall pay Gold to an Alien. *AB. Money 2.*

1. R. 3. 7.

3. 1. El. 2.

24 How often a Fine leuied before the Iustices of the common place shall be read, and proclaimed, and who then shalbe bound thereby. *AB. Fines. 3. 4. 5. 6. 7. 8. 10.*

Statutes Made at Westmin. Anno 7. Hen. 7.

& Anno Domini 1492.

3. H. 8. 5.

1 If any Captaine, which is retained to serue the King in his intended warres on the Sea, or beyond the Sea, shall not haue the whole number of men for the which he is retained, or shall not giue them their full wages which he receiued of the king, without abating of them (except for their Apparel) he shall forfeit to the king all his goods and cattels, and he imprisoned. It shall be felonye (without benefit of Clergie) for a Souldier haning taken prest to serue the king in his warres, to depart without licence. *EXP.*

2 Every person that shalbe in the kings wages beyond the Sea, or on the Sea, shall haue a Protection. And no discent shall ppetuice them. And by his wyting he may make his Atturney to enter into lands descended vnto him, to atturue, &c. *EXP.*

3. H. 8. 4.

3 They which shall goe with the King to warre in France, may without licence Alien their lands to the vse of their Willees. And they shall haue their owne Liueries, and anthozity to dispose the wardship of their Heires. A Serieant of Armes absenting himselfe, shall lose his fee. *EXP.*

1. H. 7. 4.

12. H. 7. 5.

4 Weights and measures shalbe made of brasse, accordyng to the Kings Standard of his Ercheqner, and sent to every chiefe Citie, bozough, and Shire towne, that all weights and Measures of the same Shire may be made by them. *S. Weights 7. &c.*

5 Riens deins le gard shalbe no challenge vpon any issue to be tried in London. *AB. Challenge 4.*

6 L. Patents made to seuerall spirituall persons, to be discharged of dismes & quindimes, shall extend no fozther then they did in the time of *H. E. 4.* *EXP.*

7 All Scots not made Denizens, shall depart this Realme of England & Wales, within fortye dayes after Proclamation, vpon paine of imprisonment and forfeiture of all their goods and cattels. *HP. 4. Tac. 1.*

8 Every But of Palmesse shall containe *Cxxvj.* gallons, and every Merchant Stranger shal pay for customs *xvij. s. a But*, besides the old customs, and

King Henery the seventh.

no But shall be sold for above iij. li. which new imposition shall be, until the Venetians abate their new imposition of iij. Ducats at Candie. EXP.

Statutes made at Westm. 14. die Octobris,

Anno 11. H. 7. & Anno Dom. 1495:

- | | | |
|---------------------------|---|---|
| Kings service | ¶ 1 No person that shall attend upon the Kings person, and doe him true service in warre, within the Realme, or without, shall be therefore attained of Treason, or other offence, by Parliament, or in any other manner, or shall forfeit life, lands, or etc. AB. Forfeiture 4. | |
| Vagabonds. | 2 Vagabonds, idle, and suspected persons shall be set in the stocks three dayes and three nights, and have none other sustenance but bread and water, and then shall be put out of the towne: And if any be taken in the same towne a second time, he shall be put into the stocks vij. dayes, with like diet. And whosoever giveth such idle persons more, shall forfeit xj. s. Every begger not able to worke, shall resort to the Hundred where he last dwelled, is best knowne or was bozne, and there remaine upon the payne aforesaid. No artificer, labourer or servant shall play at any unlawfull game, but in Christmas. EP. 33. H. 8. 9. Two Justices of peace may reiect common selling of Ale. AL. 5. Ed. 6. 25. | 19. H. 7. 11.
39. EL. 4. |
| Beggars. | | |
| Alehouses. | | |
| Justices and
thoritic. | 3 The Justices of Assise in their Sessions, and the Justices of peace in every County, upon Information for the king, shall have authority to heare and determine all offences & contempts (saving Treason, Murder, or Felony) committed by any person, against the effect of any Statute made, and not repealed. EP. 1. H. 8. 6. | |
| Weights and
measure. | 4 The names of the Cities and Townes limited for the keeping of those Weights and Measures, with the which, or others marked by them, all men shall buy and sell. AB. Weights &c. 7. 8. 9. 10. | 7. H. 7. 4.
12. H. 7. 5. |
| Southamp-
ton haven. | 5 Every man may pull downe the Weares and Engines in the Haven of Southampton betweene Calshord and Redbridge: And whosoever levieth any other there, shall forfeit C. li. R. | 14. H. 8. 13. |
| Customes. | 6 Where the custome shall be paid, when wolen Cloathes be packed in one Port, and shipped in an other. AB. Customes 16. | 12. Ed. 4. 3. |
| Riot. | 7 The principall Masters or leaders of any persons to commit a Riot, or unlawfull assembly, shall be committed to prison so long time, & pay such fine, and be bound to the peace with suerties in such a sum of money, as shall seeme meete to the Justices of peace, before whom the complaint is made, or the Indictment found. And if the Riot be with xl. persons, or thought heynous, then the Justices of peace shall certifie the same, and send by the Records of Connuition to the king and the Council. EXP. | 1. M. 12.
13. H. 4. 7. |
| Usurie | 8 He that lendeth his money upon usurie, or maketh any bargain for lands or goods grounded upon usurie, shall forfeit the one halfe thereof. EP. 37. H. 8. 9. A Repeal of the Statute of 3. H. 7. touching Usurie. | |
| Tindale. | 9 North and South Tindall, and all the lands within the same shall be gildable, and parcell of the County of Northumberland: and no Franchise shall be there, but all the kings writs and officers shall be obeyed. And no man shall demise any lands for yeares, life, or will there, but the lessee shall before find two sureties, having at the least xl. s. of freehold within the county of Northumberland to be bound by Recognizance in xx. l. to the king, to make answer within eight dayes warning to all Murders, Treasons, Felonies, &c. And the lessor shall forfeit xl. s. for every act otherwise let, to the king and Inf. And the lease shall be void. R. | 14. EL. 13.
2. H. 5. 5.
9. H. 5. 7. |
| Subsidie. | 10 A remedy to lenie a Subsidy or benevolence before granted to the K. EP | 11 The |

11.H.7.1.
5.Eliz.4.

11 The Citizens of *Poswich* may take to appzentice the sonne or daugh-
ter of any person, notwithstanding the Statute of 7.H.4.17. No man shall be
a *Mozsted* shearer in *Poswich*, vnlesse he hath beene seuen yeares an appzen-
tice, or be allowed by the *Paioz* and *Passers* of the Companie. The *Moz*, *Shearmen*.
sted shearers in *Poswich* shall make no *Ordinance* amongst themselves, but
such as the *Paioz* and *Aldermen* shall thinke necessarie. No inhabitant in
Poswich, being not a *Shearman*, shall keepe a *Shearman* in his house. *EP*. 19.
H.7.17.

12 A meane to helpe and speed poze persons in their suits. *AB*. *Poore* peo- *Posi*.
ple 1.

22.H.8.7.
1.Ed.6.5.
5.Eliz.19.

13 No person shall carrie any hoyle out of this land without the *L*. licence, *Transporting*
or mare vnder the age of thyeer yeres, and aboue the value of *viij.s. viij.d.* vnles *hoyle*.
it be to his owne vse, not purposing then to sell it. Euerie person shall giue for
the custome of a mare to be transported, *viij.s. viij.d.* and he that will giue *viij.s.*
for her shall haue her. *CB*.

1.H.7.2.
22.H.8.8.

14 All Aliens made *Denizens* shall pay such customes for their merchan- *Customes*.
dizes as they did befoze. *AB*. *Customes* 13.

15 The manner of entring of *Plaints* in Countie Courts, of examining *Sherifes*
of *Sherifes*, by the *Iustices* of peace, of execution of *Precepts* by *Bailifs*, of *Counties*.
viewing of the *Sherifes* *effreits*, and gathering of them. *AB*. *Sherifes* 16. 17. 18.
19. 20.

16 He that hath a *fréhold* in *Calice*, out of the which there is issuing a yere, *Calice*.
ly chiefe rent toward the maintenance of the watch there, if he pay not his said
chiefe rent within a yere and a day after it is due, he shall forfeit the said free-
hold to the king and his heires. *EXP*.

7.Iac.11.
23.El.10.
1.Iac.27.
31.H.8.12.

17 The penaltie for taking of *Phefants* or *Partridges* with snares. *AB*. *Phefants*.
Phefants 1. And for taking of egges of the *Hawkes* or *Swannes*, for taking,
fearing, or killing of *Hawkes*, bearing of *Englisch* *Hawkes*, and of bying-
ers of *Hawkes* fro *fozreine* Countries without a *Certificat*. *AB*. *Hawkes* 3. 4.
5. 6.

19.H.7.1.

18 He that will not go in person with the *L*. in his wars, where he is in per- *L. service*.
son, shall forfeit his offices, *taxes*, and annuities giuen him by the *L*. vnlesse he be
sicke, or hath the *L*. licence. *EXP*.

5.Ed.5.23.

19 What *stufte* *Upholsters* shall put in featherbeds, *boulsters*, and *pilowes*. *Upholsters*.
AB. *Vpholsters* 1. & c.

6.Ed.1.7.

20 What *Alienations* made by the wife of the lands of her deceased hus- *Women*.
band shall be void. *AB*. *Women* 1. & c.

37.H.8.5.
23.H.8.3.

21 Of what *abilitie* euery man ought to be, which shall be impanelled in any *Attaint*.
Attaint or *Enquest* in *London*. And what euerie such man making default of
appearance shall forfeit in *issues*. *Attaint* may be sued by bill in the *Hustings*
in *London*. *AB*. *Attaint* 13. & c. *Iurors* 16. 27.

23.H.6.13.

22 The *seuerall* yeares wages of seruants in husbandrie, viz. of the *Bailif* *Seruants*
of husbandrie, chiefe *Vind*, *Carter*, or *Sheepheard*, common seruant, woman, *Labourers*.
seruant, and child within *riij. yeres* of age. And the *seuerall* wages of *Artifi*-
cers, and day-labourers with meat and drinke, or without, and *seuerall* times
limited for their worke, meales, and slepe. *EP*. 12. H.7.3. & 5. El.4.

22.Ed.4.2.

23 What is requist & necessarie in selling and putting to sale of *Salmon*, *Fish*.
Herrings, and *Celes*. The contents of their *seuerall* vessels, the packing of
them, and how much the *Gauge* shall take therefoze. *AB*. *Fish* 8. 9. 10. 11. 12.
Corporations 14.

23.H.8.3.

24 An *Attaint* shall be maintainable against the partie, and the petit *Jurie*. *Attaint*.
The *Proces* therein, the ability of the *Jurozs*, the pleas of the defendant, & petit
Jurie,
Jurie,

King Henrie the seventh.

- Panels.** Jurie, and their punishment being attained. Panels returned by the Sherife to inquire for the R. may be reformed by the Justices. *EXP.* 3.H.8.12.
- Periurie.** 25 Justices of peace shall examine and reform the Panels returned before them. Periurie committed by unlawful maintenance, embracing, or corruption of officers, or in the Chancery, or before the R. Council, shall be punished by the discretion of the Lord Chancellor, Treasurer, both the chief Justices, and the Clerk of the Rols. And if the complainant prove not or pursue not his bill, he shall yield to the partie wronged his costs and damages. *EXP.* 3.H.8.12. 5.Eliz.9.
- Juries in Turnes.** 26 It shall be lawfull to everie Sherife of the Counties of Southampton, Surrey, & Suffex, to impanel & summon xliiij. lawful men of such inhabitants within the precinct of everie of his or their Turnes, as owe suit to the same Turnes, wherof everie one hath lands of freehold to the verely value of r.s. or copihold lands to the verely value of xliij.s. iij.d. above all charges within any of the said Counties, or men of lesse liuelihwd, if there bee not so many there, notwithstanding the Statute of 1.R.3.4. *EXP.* 19.H.7.16.
- Fustians.** 27 A remedie to avoid deceitfull weights used upon Fustians. *AB.* Fusti- 39.Eliz.13.
ans 1.

Statutes made at Westminster 16.die Januarij, An. 12.H.7.

& Anno Domini 1496.

- Apprentices** ¶ 1 The markes of Woosted, Say, and Stamin, in Porsolke, may take any to be Apprentic. *AB.* Labourers 27.Q. whether in force.
- Periurie.** 2 The Statutes made 11.H.7.24 & 25. touching the punishment of Periurie, continued untill the next Parliament. *EXP.*
- Labourers.** 3 A Repeale of so much of the Statute of 11.H.7.22. as toucheth onely the wages of Artificers, Labourers, & servants in husbandrie. *EXP.* 5.El.4.
- Forsfeiture.** 4 No forsfeiture given by the Statute of 1.R.3.8. touching the length and breadth of clothes, shall be taken before the beginning of the next Parliament. *AB.* Draperie 5.8.
- Weights.** 5 The weight of an English penie, of an once, a pound, a gallon, and a bushell. *AB.* Weights 2. The weights & measures sent to severall cities and townes by force of the Stat. of 11.H.7.4. being defective, shall be broken, and new shall be sent to the same. *AB.* Weights 7.8.9.10. 7.H.7.4.
- Merchants.** 6 Everie Englishman shall have free recourse to Flanders, Holland, Zealand, and Brabant, to the Parts there, with their merchandizes, to buy & sell, without any exaction or imposition to be taken by any English person or strangers, saving only r.markes. *CB.*
- Clergie.** 7 No lay person that doth purposely murder his Lord, Paster, or Soueraigne, shall have his Clergie. *AB.* Clergie 13. 23.H.8.1. 32.H.8.3.

Statutes made at Westminster 26.die Januarij, Anno

19.H.7. & Anno Dom. 1503.

- R. service.** ¶ 1 Whosoever doth not in his owne person daily attend upon the King, being in his owne person in wars, unlesse he be sicke, shall forfeit such lands &c. as he hath by the Letters Patents of the King that now is. *EXP.* 11.H.7.18.
- Bow-staves.** 2 No custome shall be payed for any sufficient Bow-staves of the length of six foot and a halfe, brought into this Realm, before the next Parliament. *EXP.*
- Attaint.** 3 The Stat. of 11.H.7.24. touching an Attaint to be granted in certaine cases, continued untill the next Parliament. *EXP.* 23.H.8.2.

4 Who

- 3.H.8.13. 4 Whoſoeuer is indicted and convicted for ſhooting in a Croſbow, without Croſbow. the R. licence, vnder his priuie Seale or Signet (except it be for the defence of his houſe, be a Lord, or haue 200. markes land) ſhall forfeit for every day cl. s. to the king, and the Croſbow to him that will ſeiſe it. EP. 6.H.8.13.
- 5 The coines of gold and ſiluer now current within this Realme, ſhall ſo Money. continue for the ſumme that they were copied for, & the reſalers thereof ſhall be impriſoned. No mony, plate, or bullion of gold or ſiluer ſhall be caried into Ire- Ireland. land, nor any Iriſh money ſhall be brought into England. AB. Money 4.5.
- 4.H.8.7. 6 In what places Pewter and Braſſe ſhall be ſold, of what goodneſſe they Pewter and ought to be. The wares made thereof, and the marking, weighing, and ſear- Braſſe. ching of them. AB. Pewter 1.&c.
- 15.H.6.6. 7 No ordinances ſhall be made by fellowſhips of Crafts, but by the conſent Orders by of the Chancelloz, Treasuſer, or Juſtices. No order ſhall be made to reſtraine fellowſhips. ſuit in the R. Court. AB. Corporations 1.2.
- 8 No Scavage or ſheuage ſhall be payd for merchandize cuſtomed. AB. Mer- Scavage. chants 2.
- 9 Proceſſes in Actions vpon the caſe ſued in the R. bench, and common place. Action vpon AB. Proceſſes 2. the caſe.
- 14.Ed.3.10 10 The Sheriſe of every Countie ſhall haue the keeping of the common Gaoles. Gaole within that ſhire, and of the priſoners therein. AB. Priſons 1. Seuerall penalties for the negliſt escapes of ſeueral ſorts of offenders, REP. All grants made for the keeping of Gaoles, and of any caſtles wherein any ſuch Gaoles be, reſumed.
- 11 The penalties for keeping of Buckſals, Stalking, and taking of He- Buckſals. rons. AB. Hunting 2.3. Herons 1.2.
- 12 The like remedies provided for the puniſhment of Vagabonds, poore, Vagabonds. people, vnlawfull games, and Alehouſes, as were ordained. 11.H.7.2. Alehouſes.
- 13 What Juroz ſhall be impanelled to enquire of a Riot, how much in Ri- Riots ſues ſhall be returned vpon every of them: and the puniſhment of maintainers, by whoſe meanes a Riot is not found. AB. Riots 14.15.
- 1.H.4.7. 14 The forfeiture and puniſhment for giuing, taking, or wearing of line- Lineries. ries, ſignes, tokens, or badges, & for retaining or being retained, and in what Retaining. caſes, and by whom the ſame is lawfull. And in what courts, and by what ma- giſtrates the ſaid offences be inquirable, and puniſhable. EP.
- 8.Ed.4.2. 15 The lands of Ceſtuy que vie ſhall be put in execution for his debt due by Ceſtuy que vie. Judgement, Statute, or Recogniſſance, ſhall ſatiſſie the chiefe Lord his re- lief, and hariat, And, he being a bondman, they may be ſeiſed by the Lord. AL. 27.H.8.10.
- 16 The Statute 11.H.7.26. touching the abilitie of Juroz impanelled in the Sheriſs Turnes, in Surrey, Suſſer, and Hampſhire, continued vntill the Sheriſſes Turne. next Parliament. EXP.
- 13.H.7.1. 17 So much of the Statute of 11.H.7.11. as concerneth the taking of ap- Apprentiſ in prentices in Nozwich, confirmed. And the reſidue of the ſame ſtatute touching Nozwich. Nozwich. repealed. repealed. Threaſers. Threaſers.
- 9.H.6.5. 18 The penaltrie of thoſe which take impositions of Boats paſſing vpon Boats. the riuer of Seuerne. AB. Boats 10.
- 23.H.8.12. 19 No ſhoomaker, or other to his uſe, ſhall occupie the miſterrie of a Currier. Shoomaker. No Currier ſhall be a ſhoomaker. No Tanner ſhall put a hide to ſale befoze it be ſufficiently dried. EP. 5.El.8.
- 2.H.6.7. 20 A confirmation of the Statute of 3.H.7.10. that coſts and dammages ſhall Dammages. be awarded to the plaintife, where the defendant ſueth a Writ of Erroz. AB. Damages 5.

King Henrie the seventh.

Silke.

21 Certaine things wrought of silke, not lawfull to be brought into this Realme. AB. Silke 1.

Calice.

22 A Repeale of a Stat. (not printed) made 4.H.7. That no inhabitant in Calice should be Attorney or Factor for any Merchant of the Staple there.

Stil'yard.

13 All Statutes, Acts, or Ordinances, made, or to be made in derogation of the Liberties and Customs of the Merchants of the Stil'yard, called Guildehalda Theutonicorum, shall be void and repealed. But this shall not be prejudicial to the citizens of London, or their successors, for any thing given them by the kings of this Realme, or by Parliament.

Countie Court.

24 The Shire court for the countie of Sussex shall be holden one time at Chichester, and another at Lewes. AB. Countie 2.

Statutes

Statutes made at Westminster 21. die Ianuarij, An.

1. H. 8. & Anno Dom. 1509.

- A** Repeale of the Stat. of 8. H. 6. 2. prohibiting the B. Subjects to repaire Denmarke into Denmarke.
- 1 The king nor any other shall take advantage of the penalties li- Cloth.
mited by the Stat. of 1. R. 3. 8. touching the making of severall sorts of
Clothes, before the next Parliament. *EXP.*
- 3 All Acquittances made by Iohn Hieron the B. generall Receiuer, or by a Hierons Ac-
ny other to be appointed in his office, of any of the B. revenues, or duties, shall quittances.
be a sufficient discharge against the king. And the said Iohn Hieron and others
in his place shall likewise stand chargeable to others, &c. *EXP.*
31. Eliz. 5. 4 All Actions, Informations, and Indictments, to be made or taken for the Informations
B. upon any penall Stat. shall be taken within three yeres after the offence com-
mitted, and for any other person within one yere. *EXP.*
2. Ed. 6. 22. 5 A Repeale of part of the Statute of 3. H. 7. 7. touching Englishmen co- Customs.
1. Eliz. 11. lourably entring into Customers bookes in their owne names the goods of
Merchants Aliens. The penaltie for customing of the goods of others, where-
by the king loseth his dutie. Customing of the wines of others. AB. Customes
18. 19. 20.
- 6 A Repeale of the Stat. of 11. H. 7. 3. which giveth authoritie to Iustices of Justices and
Assise, and Just. of peace, to inquire and determine of divers offences. authoritie.
3. Ed. 1. 10. 7 No fe shall be due to a Coroner, where any person is slaine by misaduen- Coroner.
ture, and yet he shall do his office diligently. AB. Coroners 15.
23. H. 6. 17. 8 An Escheator must have xl. marke land, returne no offices into any of the Escheators.
14. Ed. 3. 8. B. courts, but which be found by a Iurie, suffer everie person to give evidence
3. H. 8. 2. upon the finding of an office, receive an office found by a Iurie, & deliver them
the Counterpane, sit in an open place, and shall exercise his office but one yere.
AB. Escheators 4. 5. 6. 7. 8. 10. Offices 2. 5.
- 9 The Chancelor of England, or the Keeper of the great Seale, may verely Stannys
appoint two, three, or foure persons, of Stannys Parish, to receive the toll and bridge.
and custome due, and to imploy the same upon the reparation of Stannys Bridge,
and Causey in the countie of Middlesex, and thereof to give account verely be-
tweene the feasts of S. Michael and All Saints, to the said Chancelor, &c. or
such as he shall appoint. *R.*
35. Ed. 3. 13. 10 Lands seised into the B. hands upon an Enquest of office, shall be let to Trauerse
8. H. 6. 16. farme to him that offereth to traaverse the same within three moneths. AB. Pa-
18. H. 6. 6. tents 26.
- 11 The Stat. of Attaint, and reforming of Panels, made 11. H. 7. 24. conti- Attaint.
nued untill the next Parliament. *EXP.*
- 12 Untrue Inquisitions found by the procurement of Sir Richard Emp- Empson.
son and Edmund Dudley, intituling the king to tenures in capite, may be tra- Dudley.
versed by the possessors of the same lands, though the parties haue sued their
lineries accordingly. *EXP.*
- 13 The Statute of 17. Ed. 4. 1. & 4. H. 7. 23. inhibiting the transporting Transport
of money, plate, or iewels (saving for the penaltie of felonie) shall be continu- money.
ed. *EXP.*
- 14 A Repeale of all former Statutes made against excesse of apparell. What Apparell.
kind of apparell men of all degrees and callings are allowed, and what prohi-
bited to weare. *EXP.*

King Henrie the eight.

Assurances to
Empson and
Dudley.

15 All assurances made to Sir Richard Empson Knight, or Edmund Dudley Esquire, attainted of high treason, of lands to the use of others, shall be void, and there joint feoffees shall stand seised of the whole. EXP.

Statutes made at Westminster 4. die Februarij, Anno

3. H. 8. & Anno Domini 1511.

Gold & Silver.

¶ 1 Every person that shall carie over the sea any money, plate, vessel, but-
lion of silver, or jewel of gold, contrarie to the Stat. of 17. E. 4. 1. & 4. H. 7. 23.
shall forfeit the double value thereof. EXP.

Escheatores.

2 The Stat. of 1. H. 8. 8. touching Escheatores, and finding of Offices, made
perpetuall.

Archerie.

3 All sorts of men under the age of 21. yeares (certaine except) shall use shoo-
ting in long Bowes, and shall have Bow and Arrowes. Bow-staves brought
into this realme, shall be open, and not sold in bundles. EXP.

Protection.

4 Every person that is or shall be in the R. warres, shall have a protection of
Profecturus, or Moratur, cum clausula Volumus. And no dissent shall pre-
dice him: and he may alien his land holden in Capite without licence. And if he
die in that service, his heire within age, and in Ward, his executors, feoffees,
or assignees, shall have the wardship and marriage, toward the performance of
his Will. EXP.

Captaines.
Souldiers.

5 The penalties of a Captaine abiding his prescribed number of Souldi-
ers, or for detaining of their wages, and of a Souldier having taken prest mo-
ney, to depart without licence. AL. 4. & 5. Phil. & Mar. 3. AB. Captaines 3. &
15.

Draperie.

6 The severall duties of a Breaker, Bember, Carder, Spinner, Weaver,
Walker, Fuller, Clothier, and Aulnager, concerning true making, draping,
and sealing of woollen clothes. EXP.

Clothes.

7 A confirmation of the Stat. of 7. E. 4. 3. & 3. H. 7. 11. made to restrain the
transporting of yarne or woollen cloth, before it be fulled, barbed, rowed, or
hozne. AL. 2. 7. H. 8. 13. & 33. H. 8. 19.

Vitall.

8 By whom the prices of vituals shall be assessed, when a Victualler is chief
Officer of a citie, borough, or towne corporate. AB. Vituals 9.

Summers.
Wisoys.

9 Summers shall be imprisoned three moneths, and fined at the discretion of
the Justices, by whom they shall be delinered out of prison. He that keepeth any
visoys in his house, shall forfeit for everie of them xx. s. EXP.

Shens.
Leather.

10 No Alien hozne shall buy leather, or wares made thereof, in any secret
places, but in the open Market in London. And the Wardens of Curriers may
search within Franchises, &c. EXP. 5. El. 8.

Physicians.

11 By whom every Physician and Chirurgian in London and elsewhere
shall be allowed. AB. Physicians 6. Surgeons 1. 2.

Panelis.

12 Panels returned by the Sherife to inquire for the R. may be reformed
by the Justices. AB. Jurors 8.

Crosbowes.

13 A confirmation of the statute of 19. H. 7. 4. ordained against shooting in
Crosbowes: and all Placards granted, revoked. EXP. 6. H. 8. 13.

Oyle.

14 Who may search oyle in London, and other Cities and Townes, and
punish such as sell false and mixt oyles. AB. Oyle 1. 2.

Hats & Caps

15 Who may buy hats and caps wrought beyond the sea. Hats and Caps
made within this Realme shall be sufficiently wrought and coloured. The pri-
ces of severall sorts of hats and caps. All statutes made for hats and caps re-
pealed. EXP. 1. Jac. 2. 5.

Statutes

King Henrie the eight.

52

Statutes made at Westminster 4. die Nouemb.

Anno 4. Hen. 8. & Anno Dom. 1512.

- ¶ 1 Substantiall Bulwarks, Bayes, walls, ditches, and other fortifications, shalbe made in euerie such landing places by the sea coasts, by the inhabitants of the same countie, as the Iustices of peace and Sherife in that countie where any such landing places be, shall thinke needfull. EXP. Bulwarks.
- 2 The benefit of clergie taken from him which committeth murder or felonie in a halowed place, the highway, or a dwelling house. AB. Clergie 13. A felon arraigned for murder or felony, pleading that he was taken out of a priuiledged place in another countie, shall be tried by the same Iurie that shall trie the felonie or murder. AL. 1. Iac. 25. Clergie. Sanctuary.
- 3 A remedie for the Paioz and Sherifs of London to recover issues seised by Iuroz in their courts. Panels in London for the trial of suites depending in the B. Courts at Westminster: And what issues shalbe returned vpon the Iuroz. AB. Iurors 16. Issues in London.
- 4 Proclamations shall be made to giue warning to him, that dwelling in one countie, is sued to an Exigent in a personall Action in another countie. EXP. Exigent.
- 5 A Repeale of the Stat. of 12. R. 2. 4. and of all other Stat. by which any penalties be imposed vpon the Passer of a seruant, or a giuer of wages. EXP. Wages.
- 6 No Collector or Comptroller of the Subsidie shall take any thing for selling of cloth of gold, siluer, velvet, &c. Neither shall he delay any Merchant therein. AB. Customers 12. Collectors of Subsidie.
- 7 In what places pewter & brasse shalbe sold or exchanged: Of what goodnesse the same ought to be: The wares made thereof, and the marking, weighing, and searching thereof. AB. Pewter 1. &c. Pewter.
- 8 All suits, accusations, condemnations, executions, fines, amerciaments, punishments, corrections, graunts, charges, & impositions, put, or had, or hereafter to bee put or had vpon Richard Strode, and to euerie of his complices, that now be of this present Parliament, or that of any Parliament hereafter shalbe, for any bill, speaking, reasoning, or declaring of any matter concerning the Parliament to be communed and treated of, shal be utterly void. And hee that is bered shal haue an Action vpon the case, and recover treble damages and costs. Q. whether this be generall, or for R. Strode only. Free speeches in parliament. R. Strode.

Statutes made at Westminster 23. die Ianuarij,

Anno 5. H. 8. & Anno Dom. 1513:

- ¶ 1 A forme of Administration of Iustice to the B. Subjects of his citie of Turney, viz. how they may haue assurance and recoverie of their debts due to them by Englishmen, and how Englishmen of them. EXP. Turney.
- 2 White Straits made to be sold within the countie of Deuon, ratw, readie to be tacked, shalbe a yard and halfe a quarter broad, and xv. yards long. EXP. Draperie.
- 3 White woollen cloths of five markes price, or vnder, may be carried ouer the sea vnshorne, vnrowed, or vnbarbed. AL. 27. H. 8. 13. Draperie.
- 4 No Wosted shalbe dije kalendzed. Who shal wet kalender Wosteds. EXP. Wosteds.
- 5 What issues the Sherifes of London shall returne vpon Iuroz impanelled to trie issues in the B. Courts at Westminster triable in London. AB. Iurors 16. Issues in London.

6 Sur

King Henrie the ſeuenth.

- Surgeons.** 6 Surgeons of London shall be exempt from being constables, bearing of armo^r, o^r to bee put in watches, o^r Enquest^s: So that they exceed not at one time aboue the number of xij. persons. AL. H. 8. 42.
- Strangers.** 7 All Strangers bozne, being of the fellowship of the blessed Trinitie, and all other persons bozne vnder the Emperors, & king of Castiles dominions, may buy red leather, o^r other leather carried, o^r not carried, in open Parkets and Faïres, sufficiently wrought, assayed, and sealed, notwithstanding the Stat. of 3. H. 8. 10. EP. El. 8.
- Leather.**
- Pardon.** 8 Euerie person that will sue fo^r the R. pardon, hereafter granted vpon certaine articles, shall haue the benefit of it, so that he pay such fees fo^r the sealing, and other duties in the R. courts, as shall be appointed by the king o^r his assignees. EP.

Statutes Made at Westminster 5. die Februarij, An.

6. H. 8. & Anno Dom. 1514.

- Apparell.** ¶ 1 A restraint fo^r all Tempozall men to vse excesse of Apparell. EP. 7. H. 8. 7.
- Archerte.** 2 The Stat. of 3. H. 8. 3. touching shooting in long Bowes, and bringing in to the realme of Bow-staues, made perpetuall. EP. 33. H. 8. 9.
- Seruants.** 3 The ſederall wages of seruants in husbandrie, artificers, and day labourers, and the penaltie of those which take moze. EP. 5. El. 4. 7. H. 8. 5. 6.
- Exigent.** 4 Proclamations shall be awarded to giue notice to him, which dwelling in one countie, is sued to an Exigent in another. AB. Exigent 5. 4. H. 8. 4.
- Husbandrie.** 5 The penaltie fo^r decaying any towne, o^r house of husbandrie, o^r fo^r conuerting tillage into pasture. EP. 4. H. 7. 19. 7. H. 8. 1.
- Remouing of prisoners.** 6 The Just. of the R. Bench may remaund prisoners out of the R. Bench into the countie to be tried. AB. Remouing &c. 2.
- Faires about London.** 7 The ſeueral ſummes that Watermen shall take fo^r their fare, from one place to another neere to the citie of London. And the Watermen refusing to accept the said p^rescribed fares, shall fo^rſeit treble the value thereof. AB. 2. & 3. P. & M. 16.
- Straits.** 8 A confirmation of the Stat. of 5. H. 8. 2. touching white Straits. And russet Straits shall be of the like length and breadth, and being rati shall weigh xiiij. pounds. AL. 27. El. 18. 7. Ed. 6. 9.
- Draperie.** 9 The weight of the wooll deliuered by the Clothier to the Carder, Spinner, &c. and by them redeliuered. The Weauer shall put into the Cloth all the wooll, o^r restoze it. The measure of woollen cloth to be sold. There shall bee no buying of coloured wooll, o^r yarne, but in the market. Draperie 54. 67. 68. 74. Shrinking of cloth, straining of cloth, putting of deceivable things into cloth. 14. H. 8. 11. 3. Ed. 6. 2.
- Sewers.** 10 Commissions of Sewers may be granted throug^h this Realme, and the Marches of Calice, Guines, and Hammes, fo^r r. yeres. EP.
- Bow-staues.** 11 The Statute of 1. R. 3. 11. touching bringing of Bow-staues into this Realme, shall not extend to any subiect bozne in England, Wales, o^r Ireland. EP.
- Pozfolke Wool.** 12 Whosouer shall ship o^r carie beyond the Sea, any Wools called Greland, o^r other Wools growing in Pozfolke, o^r the borders thereof, necessary fo^r the making and breaking of Wooldes and Stamines, shall fo^rſeit fo^r euerie Stone xl. s. And all Licences granted, o^r to be granted thereof, shall bee void. EP.

14. H. 8. 7.

13 Whosoever shall shoot in, or keepe in his house, any Handgun, or Cros-
bow (without the R. licence) vnlesse hee hath yearely revenues to the value of
300. Markes, shall forfeit the same, and v. l. for euery shoot. *HP. 25. H. 8. 17. All
former Statutes touching shooting in Crossebowes repealed.*

14 The Stat. of An. 12. E. 4. for the payment of tonnage and pondage, shall
stand good during the kings life, and no longer. *HP. Tonnage.
Pondage.*

15 What shal be expressed in Patents of lands, offices, or other things, be-
foze granted to some others, during the kings pleasure. *AB. Patents 2. Patents.*

16 No Knight, Citizen, Burgesse, or Baron, shall depart from the Parlia-
ment befoze it be ended, without licence. *AB. Parliament 2. Parliament.*

17 The Maior, Aldermen, Citizens, and Comminaltie of Canterburie, *Canterburie
Riner.*
with the aduice of the Archbishop of Canterburie, and two or thre Knights,
being Iustices of peace, and of the Maior of Sandwich, may cause to be depe-
ned, enlarged, clenfed, and scoured, the riuer of Canterburie, betweene Chart
and Canterburie, & from the said citie to the comon crane in the town of Ford-
wich, in such manner as lyters and boats may haue by the same riuer full pas-
sage for carriage. And also may stop ditches, & make & inhaunce bays, dams,
walls, and bynks, for the inhauncing of the riuer, and abate, take away, & pull
downe all mills, bydges, and other impediments, whereby the course of the
sayd lyters and boats shall be letted. And an Action or suit shall bee mainte-
nable therfoze. But euery person that shall be dammified shall bee reasonably
satisfied by the Maior, Aldermen, &c. as the said Archbishop and Knights shall
adiudge. *RR.*

18 The Underherife, and all other Officers of Sherifs within the Shire
of the towne of Wiltow, shall, or may continue their offices from yere to yere
in like maner as the Underherifes, &c. doe, and may doe in London, Notwith-
standing the Stat. of 23. H. 6. 8. *AB. Sherifes 4. Sherifes in
Wiltow.*

Statutes made at Westminster, 12. die Nouembris,

Anno 7. H. 8. & Anno Dom. 1515.

¶ Because by the desolation & pulling downe of houses & townes, and
laying to pasture land, which customably hath beene manured & occupied with
tillage, idlenesse, the ground & beginning of all mischiefs, doth increase: Men,
women, and children, that were dayly occupied, & lined by sowing of corn, bye-
ding of cattell, and other increase, & their progenies, be diminished: husbandry,
the greatest commoditie in this Realme for sustenance of man, is decayed:
churches be destroyed: the seruice of God is withdrawn: Chyristian people there
buried are not prayed for: the Patrons and Curats be wronged: cities & mar-
ket townes be brought to great ruine and decay: necessaries for mans suste-
nance be made scarce and deere: the people of the Realme be soze minished: the
power and defence therof is feeble and decayed, to the high displeasure of God,
and against his lawes, and to the subuersion of the commonwealth, and deso-
lation of the same: Therfoze it is enacted, That if any person shall decay any
towne, hamlet, or house of husbandry, or conuert tillage into pasture, and doth
not repaire the same againe within one yeare, The immediat Lord of the fee
may distraine for the moitie of the value of the issues and profits of such lands,
whereof the house of husbandry is not maintained, vntill the same house be a-
gaine repaired for the occupying of husbandry. And if the same Lord immedi-
at do not execute the premises, Then the Lord aboue him may doe it within
halfe a yere. But this shall not be prejudicial to any Parks for Deere, or mar-
shes, for walling, or inclosing. *HP. 39. Eliz. 1.*

4. H. 7. 19.
6. H. 8. 5.
27. H. 8. 23.
3. Ed. 6. 5.
5. Eliz. 2.

*Townes.
Houses of hus-
bandry.*

King Henrie the eight.

**A repeale of
Licences.**

2 A repeale of all Licences granted by the king to diuers persons, to bzing into this Realme Gascoine, or Cutan wines, or Tholouse wood, contrarie to the statute of 4.H.7.10.

**Actions po-
pular.**

3 Within what time all Actions, Suits, Bills, Indictments, or Informations popular, shalbe sued. *RP. 31. El. 5.*

Reouerors.

4 Reouerors may distraine the tenants of the lands recovered for rents, seruices, and customes. And bzing a Quare impedit for an Adouision. *AB. Re- coueries 1.*

Wages.

5 The seuerall wages of seruants in husbandrie, artificers, and day labour- 6.H.8.3.
ers, and the punishment of those which take moze. *RP. 5. El. 4.*

**Labourers in
London.**

6 Carpenters, Free masons, Bricklayers, &c. may take such wages in Lon-
don, as they did befoze the stat. of 6.H.8.3. *RP. 5. El. 4.*

Apparell.

7 A repeale of the stat. of 6.H.8.1. and of all other stat. for apparell made be-
foze it. What kind of apparell tempoꝝal men of all degrees and estates are al-
lowable, and what prohibited to weare. *RP. 24. H.8.13.*

Statutes made at London 15. die Aprili, An. 14. H.8,

& 31. die Iulij, An. 15. H.8. & Anno Dom.

1523.

Woollen cloth

1 No person shall sell or deliuer to any Merchant borne out of the R. o-
beyfance, or to any other to his vse, any broad white woollen Cloth made in
England, except he cannot sel it to some English Merchant within eight daies
after he hath brought it to Blackwell Hall, and vntil the sale be made in any
Faires, Ports, or Creekes, in which case the said Clothes shalbe sold for ready
mony, or wares. *EXP.*

Aliens.

2 Under whose search and refozation Aliens resiant in London, and two 21.H.8.15.
miles compasse, shalbe. Their seueral marks, their appꝛentices, and Journey-
men. *AB. Aliens 3. 4. 5. 6. 15.*

Woꝛsted.

3 Woꝛsted weauers of great Parmouth and Linne, may yearely chuse one 26.H.8.16.
householder of either of the said Towns, to be Warden of the said Craft with, 21.H.8.21.
in the said Townes, for the yeare folloving. The Wardens oath and autho-
ritie. The Woꝛsted made at Linne and Parmouth shall bee died, thoyne, and
kalendꝛed at Poꝛwich, and befoze shall not bee transpoꝛted. *AB. Woꝛsteds 1.*
4. 7. 8. Who Woꝛsted weauers may take for their appꝛentices. *AB. Labourers*
31.

Custom.

4 An English man twayne subiect to a foꝛeine Prince, shall pay such cu-
stomes and impositions as strangers do. *AB. Customes 14.*

Physitians.

5 The Physitians in London made a bodie coꝛpoꝛate, of a President & big. 1. Ma. 9.
Clects. Their priuiledges and authoritie. *AB. Physicians 1. 3. 7.*

**Wedges in
Kent.**

6 Any person may lay out a moze commodious way, in, and ouer his owne 26.H.6.7.
Free simple land in the Weald of Kent, by the assent of two Iustices of Peace,
and twelue discreet men, and in stead thereof retaine the ground of the
old way in seueraltie to him and his Heires: Which Iustices and twelue
men shall within thꝛe moneths make certificat of the same new way into the
Chauncerie. A Poꝛtise, that he which hath a way thꝛough the same old way,
may vse it. *R.*

**Crossebow.
Handgun.**

7 Any person that hath lands or profits to the yearely value of a C. pounds
may shoot in Crossebowes, and Handguns, notwithstanding the Statute of 6.
H.8.17. All former Placards granted by the King to shoot in either of them
shalbe void. *RP. 25. H.8.17.*

8 The

- 8 The fir Clerkes of the Chancerie may take wines, and enioy their office of fir Clerks. AB. Clerke of the Chancerie 7. bj. Clerkes of the Chancerie
- 9 A repeale of the Statute of 4. Ed. 4. 7. inhabiting Cordwainers in London, and three miles compasse, to pull on shoes or boots vpon the legs or feet of any vpon Sundaies, &c. Shoemakers in London.
- 10 If any person shall trace, and kill any Hare in the snow, with any dog, bitch, or otherwise, he shall forfeit bj. s. viij. d. AL. 1. Iacob. 27. for the forfeiture. Hares.
- 11 The Statute of 6. H. 8. 9. touching the shynking of clothes, shall not extend to vestes, otherwise called Set Clothes, of what colour soeuer they bee, not being aboue the value of xl. s. a Cloth, for that they lack in length & breadth when they be wet. Set Clothes.
- 12 Coyners that shall coine and make money at any Mint within this Realme (sailing at Poerke, Duresme, and Canterburie) shall coine part thereof into halfe Angels, Groats, Two pence, Pence, Halfe pence, and Farthings. CB. Money.
- 13 The Stat. of 11. H. 7. 5. touching the repaire of Southhampton Hauen made perpetuall. RR. Southhampton Hauen.
- 14 They which are or shall bee in seruice with the King in his warres, may alien their lands for the perfozmance of their Wills, without fines, and also may dispose of the Wardshippes of the bodie and Landes of their heires. EXP. Seruice in warre.

Statutes made at London 3. die Nouembris, Anno

21. H. 8. & An. Dom. 1529.

- 1 The Kings free Pardon established by anthozitie of Parliament. Pardon. EXP.
- 2 Cuerie person taking Sanctuarie for felony or murder that ought to abiure, after his confession, and befoze his abioration, shal be marked by the Coroner with the letter A. vpon the bzaue ne of the thumb of the right hand, with a hot yron, and then shall abiure. And if he refuse to take his passage at such time as the Coroner shal appoint him, he shall loole the benefit of Sanctuary, and be committed to prison. EXP. 1. Iac. 25. Sanctuarie. Abioration.
- 3 The plaintife in Assise may abridge his plaint, of any part whereunto a Plaint barre is pleaded. AB. Abridgement &c. 1.
- 4 Part of the Executors which take vpon them the charge of the Will, may sell the land deuised by the Testator to be sold. AB. Executors 3. Executors.
- 5 What fees Ordinaries and their officers shal take for the probat of Testaments, committing of Administration, Inuentories, Acquittances, &c. AB. Probate of Testaments. Probat of Testaments.
- 6 For which persons Mortuarie shall be paid, and for which not, and in what places they shall be paid, and in what not, and how much. AB. Mortuaries 1. &c. Mortuarie.
- 7 If any seruant (other than an appentice) being of the age of xviij. yeres, shal go away with any money, goods, or cattels of his Masters, to the value of xl. s. or aboue, it shal be felonie. AB. Stealing 1. Seruants.
- 8 No butcher shall kill any sucking Calfe to be sold, which shall be calued betweene the first day of Januarie, and the first of May, vpon paine of forfeiture of bj. s. viij. s. EXP. Calues.

King Henrie the eight.

Caps. Hats.	9 Whosoever doth sell, or cause to be sold, any swollen cap made beyond the Sea, for above 1j. s. Or any hat above 1. s. Or any single crowned hat, or single night-cap, above 6j. s. shal forfeit 1l. s. <small>REP. 1. Jac. 25.</small>	3.H.8.17. 1.M.11.
Wasse.	10 Whosoever shall carie forth of this Realme any Wasse, Latten, or Copper, shall forfeit the same, or the value thereof. <small>EXP.</small>	33.H.8.7. 2.Ed.6.37.
Restitution.	11 Where shalbe restitution awarded of the stolen goods, after the attainer of the felon. <small>AB. Restitution 1.</small>	
Hempe.	12 Hempe growing within five miles of Burpozt shall be sold there. <small>Cables, Halsers, and Tackle of Hempe, shalbe made at Burpozt. AB. Cables 1.2.</small>	1.Jac.25.
Dispensation. Spiritual persons.	13 No person shall procure dispensation at the Court of Rome, to bee non-resident, or to take moze benefices than one. <small>REP. 1. & 2. P. & M. 8.</small> Spiritual persons shall take no farmes, but in certaine cases. They shall not haue moze benefices than one, without dispensation. They shall not be absent from their benefices, nor buy to sell againe, nor kepe any Tanhouse, or Bzeshouse. <small>AB. Ecclesiasticall &c. 14. &c.</small>	25.H.8.21. 25.H.8.16. 33.H.8.28.
Linnen cloth	14 If any person English or Alien, do bring, or cause to be brought into this Realme, any Linnen cloth called Dowlas or Lockeram, vnlesse the whole pece of Dowlas do contain in length fuescoze elnes of Assise, accompting to euerie elne one ynch of assise, and in bzeadth one yard of assise, and euerie halfe peere fittie elnes in length, and one yard in bzeadth. And every peere of Lockeram to be of like length &c. he shal forfeit the same. <small>REP. 28.H.8.4.</small>	
Fained reco- uerie.	15 Tenant for yeares may falsifie a fained recovery had against him in the reuerfion. And no Statute, or execution by Elegit, shalbe auoided by such reuerie. <small>AB. Recoueries 8.9.</small>	6.Ed.1.11.
Aliens.	16 Aliens bozne shall bee contributozie to all charges and taxes with the R. Subiects, Artificers. Their oath of obedience to the King and his Lawes. A Denizen onely shall keepe house. They shall not assemble in companies, but in their Halls. They shall assist their Wardens to make search. <small>AB. Alien. 4-7. 8.9.10.</small>	14.H.8.2.
Patents of Porke.	17 A repeale of the Kings letters Patents granted Anno 15. of his raigne to the Maior and citizens of Porke, for the carrying to Hull, and transporting from thence to forrein parts, wools and fells growing or arising in some parts of Porckeshire.	
Pewcastle.	18 No person shall ship, load, or vnload, any goods to be sold, in, to, or from any ship, at any place within the riuer of Tyne, betweene the places called Sparhawke and Hedwinstremes, but onely at the towne of Pewcastle. The Maior, Burgesles, and Comminaltie of Pewcastle, and their successors, may plucke downe all weares, gozes, and engines, that shall be made in the Haven betweene the places aforesaid. <small>R.</small>	
Quowzie.	19 An Quowzie shal be made by the Lord vpon the land, without naming his tenant. The Quowant shall recouer costs and damages against the plaintife. <small>AB. Auowrie 1. &c.</small>	
President of the Councill.	20 The President of the R. Councill shal be associat with the Chauncelloz and Treasurer of England, and the Keeper of the R. priuy Seale, for the examination and punishment of Riots, &c. <small>AB. Courts 4.</small>	3.H.7.1.
Worsted wea- vers.	21 The Stat. of 14.H.8.3. concerning Worsted Weavers in Warmouth and Lyn, continued untill the end of the next Parliament. <small>AB. Worsted 1. &c.</small>	26.H.8.16.

Statutes made at the Session of Parliament holden by

prorogation at Westminster 16. die Iannarii. Anno 22. H. 8.

& An.Dom. 1530.

4.Ed.4.4.
37.H.8.15.

¶ 1 The Stat. of 4. H. 7. 11. Touching the buying of Woolls in xviiiij. Shires, reuined for tenn yeares. And other x. Counties included therein, viz. Bucking. Pothampt. Leicest. Hunting. Warw. Lincolne, Darby, Rutland, Potting. and Poike. Makers of Hayes, Woosted, Stamines, Hats, and Caps, shall haue like time for buying of Wooll for those purposes, as makers of Cloth and Parne. *Exp.*

2 So much of the Statute of 4. H. 8. 2. as toucheth the triall, that hee was taken out of Sanctuarie in a fozeine Countie, pleaded by a Felon, made perpetual. *Exp.* 1. Lac. 25.

3 A remedie for the obtaining of all sasses, scots, and tares, with their doubles, imposed for the recouerie, or defence of Plumstead Marshes. *Exp.*

28.H.8.5.

4 The fees of Wardens, or other Officers, for the entrie of an Apprentice, or Freeman, into their fellowship. *AB.* Corporations 4.

5 A remedie to repaire decayed Bridges in High wayes, aswell where it is knowne, as where it is not knowne, who be chargeable therewith. *AB.* Bridges 1. &c. Iustices of Peace 70.

6 If any Butcher keepe a Tanhouse, he shall forfeit vij. s. viij. d. a day. *Exp.* 5. Eliz. 8.

21.H.7.13.
1.Ed.6.5.
5.Eliz.19.

7 Whosoever shall conuey any Horses, Geldings, Mares, Colts, Oxen, Steeres, Kine, Calues, or Sheepe, into any parts beyond the Sea, (sauing to Calice) without the Kings licence, shall forfeit xl. s. for every Poll. *Exp.*

1.H.7.3.
11.H.7.14.

8 Aliens bozne made Denizens, shall pay such Customes, as they shd be. And the Officers of euerie Citie, Borough, or Towne, where any such Custome shall be demanded, shall set by Tables of euery custome, toll, and duetie. *AB.* Aliens 2. Corporations 6.

5.Eliz.20.

9 Whilfull poysoning shall be adiudged high Treason. And the Offender being attainted thereof, shall be boyled to death. *Exp.* 1. M. 1. & 1. Ed. 6 12.

10 If any calling themselves Egyptians doe come into this Realme, they shall forfeit to the King, all their goods and chattels. And being commanded, shall depart the Realme within xvi. daies, vpon paine of imprisonment. *AL.* 1. & 2. P. & M. 4.

2.&3.P.&M.19.

11 It shall be Felonie to breake bp, or cut downe Dowdike in Marshland in Dorsetshire: Or Old field dike by Marshland in the Isle of Ely. *AB.* Iustices of Peace 17. Felonie 39.

3.Ed.6.16.
5.Ed.6.2.

12 The Just. of Peace of euery Countie, diuiding themselves into seuerall limts, shall giue licence vnder their Seales, to such poore, aged and impotent persons to begge within a certaine precinct, as they shall thinke to haue most needs: And if any doe beg without such Licence, or without his precinct, he shall be whipped, Or else shall be set in the Stockes three daies and three nights with bread and water onely, at the Just. of Peace, or high Constables discretion. And a Vagabond or valiant person taken begging, shall be whipped, and then shall be swozne to returne to the place where he was bozne, or last dwelt by the space of thre peeres, and there to put himselfe to labour. *Exp.*

27.H.8.25.

13 No stranger being a common Baker, Brewwer, Surgeon, or Seruener, shalbe accompted a handicraftsman. *AB.* Aliens 12.

14 If any person doe resort to a halowed place for the safegard of his life, by

A

by

King Henrie the eight.

by occasion of any felonie committed by him, and confesse the same befoze the Cozoner, (foz the which by the Lawes of this Realme he should abiure, & passe out of the same) The same person shall abiure from al his Liberty, and fræ habitations, & passages, which pertain to subiects vndefamed, & bee directed by the Cozoner to any one Sanctuarie which he will choose, there to remaine during this life. If a Sanctuarie person go from thence without the kings licence, or doe commit felonie, he shall lose the benefit thereof. None shall be taken out of Sanctuarie, foz a felonie supposed to be committed by him, vntill he be examined by two of the kings priuie Councell, or iiii. Just. of Peace. *EP. 1. Iacob.*
32.H.8.12.
 25. Triall of fozein pleas pleaded by any person arraigned foz felony &c. *AB.* *32.H.8.22.*
 Trial 3. There shall be no peremptorie challenge vpon arraignment foz petit Treason, Murder, or Felonie. *AB. Challenge 11.*

fozein plea.
Challenge.

Pardon.

Pardon.

15 The Kings generall Pardon to his Spirituall subiects, Except &c. *EP.*

16 The Kings generall Pardon to his Tempozall subiects, Except &c. *EP.*

Statutes made at the Session of Parliament holden by pro-
 rogation at Westminster 15. die Ianuarii, Anno 23. H. 8.

& Anno Domini 1531.

Clergie.

¶ 1 No person that shall be found guiltie of petit Treason, wilfull murder, or foz Robbing &c. shall be allowed his Clergie, (except such as be within holy Orders, viz. of Subdeacon, or above) No person within such orders of Subdeacon, or above, found guiltie of any of the offences aforesaid, admitted to his Clergie, and deliuered to the Ordinarie shall make purgation, or be set at libertie, but shall remaine in perpetuall Prison, vnder the keeping of the same Ordinarie, and his successors, vnlesse he can find two sureties to be bound befoze two Justices of Peace of that Countie with him in pl. l. foz his good a-

4.H.4.7.
32.H.8.31

Purgation.

bearing. Euerie Ordinarie may disgrace any such conuict person, if hee see cause, and send him into the Kings bench with a Certificat. And then the Justices there hauing the Record of his Conuiction, may giue iudgement of death against him. *AL. 28.H.8.1.*

26.H.8.12.

Disgracing
a Clerke.

New Gaoles

2 The most part of the Just. of Peace of euerie of the Counties of Essex, Suffolke, Dorset, Sussex Surrey, Nottingham, Gloucester, Bedford, Buck. Huntingt. Wilshire, Kent, Warwicke, Stafford, Dron, Berks, Leicesters, Rutland, Lincolne, Hertford, Northampton, Salop, Norfolk, Cornwell, and Derby, shall haue authoritie within one yeare to appoint the Townes and places within the limits of their Commission, wherein they shall thinke necessarie to haue a common Gaole newly edified, at the charges of such of the Inhabitants of the same Counties, as haue Lands and tenements, rents, or annuities to the yearely value of xl. s. or to be worth xx. l. in goods, at the least. In what Gaoles all Murderers and felons shall be imprisoned, and not else where. And the Sherife shall haue the keeping and charge of the same Gaoles. *EP.*

5.Eliz.24.
13.Eliz.25.

Attaint.

3 An Attaint maintainable in certaine cases: The number of the ground Jurie therein: There abilitie. Where it shall bee taken by default. What pleas the Defendant or petit Jurie shall plead. The punishment of the Petit Jurie attainted. Iudgement foz the plaintife. Iudgement foz the defendant. *AB. Attaint 1.&c.*

13.Eliz.25.
11.H.7.21.
37.H.8.5.
11.H.6.4

Ale.
Beere.
Sope.

4 No Brewer shall be a Cotoper. The prizes of Ale, & Beere. The contents of Ale & Beere vessels. *AB. Brewer 1.2. Cowpers 2.3.* The content of Sope vessels. *AB. Sope 1.* The seueral prizes of Ale and Beere vessels. *EP. Eliz. 9.*

35.H.8.8.
31.Eliz.8.

Sewers.

5 Commissions of Sewers shall bee graunted into all the parts of this Realme,

3.&4.Ed.6.
8.

Realme, as need shal require. The Commissioners oath. Their authoritie, or ders, abillitie, wages, and discharge. AB. Sewers 1. &c.

6 The forme of a Recognizance, of the nature and force of a Statute sta. Recognizance ple, the Seales, Certificat, & execution thereof. AB. Statutes 5. &c.

26.H.8. 10. 7 No man shall lay on land out of a Ship, any French Wine, between the waines.

Feasts of S. Michael, and the Purification, upon paine of forfeiture thereof.

28.H.8. 14. No person shall sel by retaile any French wines above viij. s. the gallon, viz. j. s. the pint. No any Palmesse, Hacke, Romney, or other sweete Wine above xij. the gallon. The prices of the Tunne, Butt, Pipe, and Hoghead of the said Wines, shall be assessed by the Kings great Officers. The contents and gauging of the said vessels. The Stat. of 5.R. 2. 3. 6.Rich. 2. 8. 4.H.7. 10. & 1.R. 3. 13. confirmed EP.

8 A meane to maintaine the Hauens and Ports of Plimmouth, Dartmouth, and Teingsmouth in the Countie of Devon, and of Falmonth, and Fowey, in Coznelwall. AL. 27. H.8. 23. AB. Hauens 4. 7. Hauens in Devon and Coznelw.

1. & 2.P. & M. 8. 1.Eliz. 1. 9 No person shall be cited to appeare out of the Diocesse where he dwelleth, but in certaine cases. The fees of a Citation. AB. Citation 1. Citation.

10 Assurances of Lands to the uses of Churches, Chappels, Guilds, Fra. Mortmaine ternities, in Fee, or for xx. yeares. Collaterall assurances. Custome to devise in Mortmaine. AB. Mortmaine 6. 7. 8. 9.

11 If a Clerke conuict being in the Prison of any Ordinarie, wilfully break the same, and escape, it shall be adjudged Felonie without priuiledge of Clergy, or Sanctuarie, vnlesse he be within holy Orders, viz. a Subdeacon, Deacon, or Priest. And it shall be at the Ordinaries libertie, to disgrace such offendor, and to send him into the Kings Bench, where the Iustices hauing the Record of his conuiction, may giue iudgement of death against him. EP. 1. Ed. 6. 12. for the Felonie. Breaking of Prison. Disgracing.

9.H.6. 19.H.7. 18. 12 The penaltie for hindering passengers upon the banke of the Riuer of Seuerne, or for demanding of any Toll of them. AB. Boatmen 9. Seuerne: Trial of Felons

13 Trial of Felons in Copozat Townes may be by men worth xl. li. in goods. AB. Iurors 15. Trial of Felons

14 What proces shall be had in Trespas upon the Stat. 5.R. 2. 7. writ of Annuitie, and Couenant. AB. Proces 3. Proces.

4.Iac. 3. 8.Eliz. 2. 15 The defendand shall recouer his cosses in certaine actions, if the plainte be non-suit, or the verdit passe against him. But he that sueth in forma pauperis, shall be otherwise punished. AB. Damages 6. 7. Damages.

32.H.8. 6. 1.Eliz. 7. 16 It shall be Felonie to sell, exchange, or deliuer within Scotland, or to the use of any Scottisshman, a Horse, Gelding, or Mare. EP. Iac. 1. Scotland.

9.H.8. 22. 13.Eliz. 25. 17 No Wooll shall be wound, which is not sufficiently washed. Nothing shall be put in stece, to the deceit of the buyer. AB. Woolles 8. 9. Wooll.

18 Fishgarthes, Piles, and other engines, set in the riuer of Ouse and Humber, shall be pulled downe. There shall be no vnlawful Fissing in the said Riuer. AB. Hauens &c. 8. 9. 10. Ouse. Humber.

19 The Kings free pardon to all his Spirituall subiects within the Nineteen of Poike. Except &c. EP. Pardon.

Statutes made at the Session of Parliament holden by

prorogation at Westminster 4. die Februarii. Anno 24. H. 8.

& An.Dom. 1533.

¶ 1 Tanned Leather shall not be sold but in open Faieres and Markets, Leather. not before the same be searched, and sealed. Who shall be Searchers,

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- and Seakers thereof. The Curriers dutie in currying of Leather. *RP. Elizab. 8.*
- Dying of Cloth** 2 No person shall die, or alter any woollen Cloth, or Hats, or Caps, except the same be perfectly boyled, grained, or maddered upon the woold, and shotte with good Cozke, or Dychall, after due and substantiall meane of woikemanhippe. No Dier shall occupie Wzafell in the dying of Woollen Cloathes, Hats, or Caps: Noz any thing but graine onely in dying of Scarlet. *RP.* 23. Eliz. 9.
- The prices of Beefe, &c.** 3 Cuery person which shall sell the carcasses of Beefes, Puttong, Pozke, or Weale, shall sell the same by Haberdypoys, and shall haue with him sufficient beame, scales, and weights sealed, called Haberdypoys. No person shall take for a pound of Beefe, or Pozke, above one hale halfe penny. Noz for a pound of Putton, or Weale, above ob. q. But in such Countiees and places where they bee sold for lesse prices, they shall so continue. A Calfe above eight weekes old, shall be accompted Beefe. *RP. 33. H. 8. 11.* 25. H. 8. 1.
- Sowing of Hempe** 4 Cuery person hauing in his occupation 40 acres of arable Land, or pasture apt for Tillage, shall yearely till and sow in seasonable time one roode thereof with Linne seede, otherwise called Flare seede, or Hempe seede, or with both: And so one Roode for euery 40 acres, which hee shall haue in his occupation, vpon paine to forfeit three shillings foure pence for euery foztie acres &c. But this shall not extend to ground not apt for Tillage: Noz to Land, or pasture, which hath not bene tilled 50 yeares befoze. An acre shall bee accompted 160 Perkes, and euery Perke 16 foote and demy. *RP. 35. Eliz. 7.*
- Forfeiture** 5 Where shall be no forfeiture for killing of any person which attempteth to robbe, or murder him. *AB. Forfeiture 1.*
- Wines** 6 The penaltie for denyng to sell Wines at the prices assessed by the Kings great Officers, according to the Stat. of 23. H. 8. 7. In what cases Iustices of Peace, Maiors or other officers, may sell any other mans Wines. *AB. Wines 3. 4. 5.* 37. Ed. 3. 23. 28. H. 8. 14.
- Calfe** 7 Whosoener killeth, or causeth to be killed any calfe to be sold, which is calued betweene the first day of Januarie and the first day of May, shall forfeit vj. s. viij. d. *Exp.* 21. H. 8. 8.
- Costes** 8 There shall be no costes of suit awarded to the defendant, where any Action is sued to the Kings vse. *AB. Damages 9.*
- Wainlings** 9 Butchers shall kill no Wainlings, vnder two yeares old, to be sold, *AB. 1. Tac. 25.*
- A Crowne** 10 In euery Parish, Town, and Hamlet, wherein there be ten householders inhabiting, there shall be prouided a Net to take Crowes Noks, & Thougbes. And euery Inhabitant shall doe his indeanour to destroy them. The reward of him that killeth any of them. *Exp.* 8. Eliz. 15.
- Hauing of Streets** 11 The Street way between Strond crosse, and Charing crosse, shall be paved sufficiently with paving Stone, at charges of the Owners, in Fee simple, Fee taile, or for terme of life, of the Lands thereunto adioyning. And whosoever is presented befoze the Iustices of the Kings Bench to make default, shall forfeit to the King for euery yard square vj. d. The Iustices of the Kings Bench may inquire thereof euery Terme, by the oath of xij. men, and make proces against the offenders. *RP.*
- Appeales** 12 Where shall be no Appeales to Rome for any cause whatsoever. Besoze which Iudges, and in what Courts all Appeales shall bee sued. *AB. 1. Eliz. 1.* 25. H. 8. 19.
- Appeales 1. &c. Whosoener pzocureth from the Sea of Rome, or any other fozeine

fozreine court, any fozreine Appeales, Proces, Sentences, &c. shall incurre the
fozf. of Præmunire made Añ. 16. R. 2. AL. 13. Eliz. 2. touching the penaltie.

1. & 2. P. &
M. 2.

13 A Repeale of all fozmer Stat. made against eresse of Apparell. What Apparell
Apparell men of al degrees, vocations, and functions, are allowable, and what
prohibited to weare. EP. Iacob. 25.

Statutes made at the Session of Parliament holden by

prorogation at Westminster, 15. die Januarii, An. 25. H. 8.

& Anno. Dom. 1533.

¶ 1 Gouvernoys of Cities and Market Townes, vpon complaint to them Butchers.
made of any Butcher, refusing to sell bitaile by waight, according to the Stat.
24. H. 8. 3. may commit the offender to ward, vntill hee hath payed all penal-
ties, and also may sell, or cause to be sold by waight all such bitaile for ready
money, to be deliuered to the owner. And if any Grazier, Fermo, Breeder, Graziers
Drover, &c. refuse to sell his fat Cattell to a Butcher, vpon such reasonable
price, as he may retaille it at the price assessed by the same Statute: The Just.
of Peace, Mayors, or Gouvernoys, shall cause indifferent neighbors to set the
prices of the same. And if the owner refuse to accept the same, then shall they
bind him to appeare, & answer the same the next Terme, before the R. Coun-
cell in the Starre-chamber, there to make fine, and to be punished as they shall
thinke good. In deare yeares the King by Proclamation may limit bitailes
to be sold without twaight. EP. 33. H. 8. 11.

2 The prices of Vintnals shall be assessed by the R. Conncelloys and offi-
cers, or by Gouvernoys of corporat Townes, And they which haue bitailes
to sell, must sell them at the prices assessed. Vintnals shall not bee transported
without the kings licence. AB. Vintnals 5. 6. 7. 8.

32. H. 8. 3.
1. H. 6. 12
5. Ed. 6. 10.

3 He that is indicted of petit Treason, Murder, Burglarie, Burning of
houses, Robberie, &c. and doeth stand willfully mute, or challenge peremptory
about 11. persons, or refuseth lawfull trial, or is indicted for any of the same
offences in another Countie then where the offence was committed, shall not
haue the benefit of his Clergie. AB. Clergie 7. 13.

4 Only such persons as be Merchant aduenturers to Island for Saltfish, Sea-fish,
Stockfish, Ling, Haberdine, or Lobfish, or that be Doggermen, or such as
be Fishermen that actually labour for the taking of the said fish in the East
Sea side, or East Sea coast, shall buy any of the kinds of the same fish, at, or by,
on the Stone, or at the said East sea side, or the East sea coasts, to sell the same
again at any of the Faires of Sturbzidge, S. Iues, or Ely. And no person shall
buy any of the foresaid kinds of fish, or any other sort of salt fish, in either of the
foresaid Faires, to be sold again in the same Faires, but to be eaten there, vpon
paine to forf. all the said fish. But this shall not be prejudiciall to any per-
son dwelling by North the River of Humber. EP. 35. H. 8. 7.

5 The Stat. of 5. H. 8. 4. prohibiting the drie callendzng of Woosteds, made
perpetuall. No person that dieth Woosteds, Stamines, or Sayes, shall callen-
der them. AB. Woosteds 3.

5. Eliz. 17.
2. Ed. 6. 19.

6 The committing of Buggerie with mankind or beast, shall be Felony. Buggerie.
AB. Buggerie 1.

7 Whosoener shall with any deuise take the Frie of Celes, called Celesfares Destroying of
or Cele-bares in any waters salt or fresh, or shall take or destroy by any engine Fish.
in fludgate, Salmon pike, or at tayle of any Mill, or weare, in any Riners,
streits, or brookes salt or fresh, the yong Frie of any Salmon, Lakspinks,
Smowtes, or Salmon Pele, or shall by any of the meanes aforesaid, kill or
destroy

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destroy any Salmons, not in season, called kipper Salmons, within any fresh, or salt places where such Salmons haue naturally their repaire, shall forfeit b. p. the fish, and his vnlawfull engines. EP.

Paving of
Holbone, and
Southwarke

8 The high Streete in Holbozne, betweene Holbozne brydge, & the Barres at the West end of the said Streete, shall be paved on both sides with paving stone, at the charges of the Tenants in Fee simple, Fee taile, or for life, of the Lands thereunto adioyning, their heires and successors. And if the Lessees do it, they may defaulke so much of their rent. The like order shall be observed for the paving of the Streets in Southwarke. And he that doth not from time to time maintaine the Pavement sufficiently against his owne ground, shall forfeit to the King for every yard square not repaired by. s. R.

Tinne
Pewter.

9 No person shall buy, or take by exchange any wares made out of this Realme of Tynne, or mixed with Tinne. No stranger bozne shall worke any vessel made of Pewter or Tynne within this Realme. No Pewterer shall exercise his trade in a forein Countrey. AB. Pewterers 1. No Pewterer shall take a stranger bozne to be his apprentice or Journeyman. EP. Eliz. 4.

33.H.8.42
19.H.7.6.
4.H.8.7.

Sewers.

10 Commissioners of Sewers shall be dwelling in the same County where &c. He shall forfeit b. Parkes, which refuseth to take the oath appointed for the Commissioners of Sewers. AB. Sewers 9. 10.

Wild-fowle.

11 Whosoever shall take any Wilde foule with nets or other engines, between the last day of May, and the last day of August, shall be one yeere imprisoned, & forfeit. 4 s. for every fowle. But such as haue l. s. freehold may hunt, and take wild-fowle with Spaniels. EP. 3. Ed. 6. 7. No person shall destroy, or convey away the eggs of any wild-fowle, from the nest. AB. Wild-fowle 1.

Elizabeth
Barton.

12 Elizabeth Barton of Kent, and others attainted of high Treason, for that vnder colour of Hypocrisie, Revelations, and false miracles, practized by the said El. they conspired to impugn and slander the denozce between the K. and M. Katherine his first wife, and the last marriage betweene him and M. Anne his second wife, to destroy the K. and to deprive him of his Crowne. EP.

Sheepe.
Fermes.

13 No person shall have above two thousand sheepe, but in certain cases. AB. Sheepe 3. No person shall take above two fermes. AB. Fermes 2.

4.H.7. 16.

Heretikes.

14 A repeale of the Stat. of 2. H. 4. 15. Touching the punishment of Heresies: Sherifes in their Turnes, and Stewards in their Actes, Rapes, and Wapentakes, shall haue authority to inquire of Heretikes: And every presentment made in any Turne, Leet, &c. concerning Heretikes shall be certified to the Ordinarie. Every person presented or indicted of any Heresie, or duly accused by two lawfull witnesses, may be cited, arrested, or taken by any Ordinarie, or other the Kings subiects, and committed to the Ordinarie to answer in open Court, and being convicted shall abiure his heresies, and refusing so to doe, or falling into relaps shall be burned. No licence shall be obtained from the Pope to preach in this Realme. No speaking against the Pope or his authoritie shall be accounted Heresie. Any person presented or indicted of Heresie may be let to baile by the Ordinarie, or if he refuse, by two Justices of Peace. EP. 1. Ed 6. 12.

Bookes.

15 A repeale of so much of the Stat. of 1. R. 3. 19. as doth licence strangers to bring into this Realme Bookes. No person shall bring into this Realme Bookes bound to sell againe: Neither shall buy of any stranger, Bookes brought from beyond the sea, but in grosse. A remedie where the prices of Bookes be vnreasonably inhaunced. AB. Bookes 1. 2. 3.

Residence.

16 The Judges of the B. Bench, and Common Place, the Chaunceloz, and chiefe Baron of the Exchequer, the B. Attourney, and Solicitor, may every of them haue one Chapleine, hauing one benefice with cure of Soules, which

which need not be resident, notwithstanding the statute of 21. H. 8. 13. AB. Ecclesiasticall &c. 22.

17 Whosoever shall shoote in any Handgun, or Crossbow, or keepe any in his house, shal forfeit x. l. for every offence, except he hath Lands, Annuities or Offices to the peryl value of an C. l. RP. 33. H. 8. 6. All former Placards made to shoote in either of them shall be boide. A repeale of all former statutes touching shooting in either of them.

18 No person shall make or cause to be made within the countie of Worcester, Draperie. Dzerie. cetter any Clothes to be sold, but in Worcester, Evesham, Droitwich, Reddyminster, and Bomelegrave. AB. Draperie 78. Owners of Tenements there shall let them for no more rent, then they were let for twentie yeares before the making of this Act. CB. Clothes made there shall be searched and sealed. RP. 5. Ed. 6. 6.

1. Eliz. 1. 19 The Clergie shall not enact, promulge, or execute any Constitutions or Ordinances, without the Kings assent. AB. Conuocation 2. The King shall have authoritie to assigne xxij. persons of his Subjects, to examine the Canons, and Constitutions prouinciall and sinodall before time made, & such of them as the King, and the xxij. or the moze part of them shall adiudge worthy to be obeyed, shall be executed, and continued, and the residue shall be abrogated. But no Canons or Constitutions shall be put in execution, which be contrary to the Kings prerogative, or the Lawes or statutes of this Realme. RP. 24. H. 8. 12. There shall be no appeales to Rome, but appeales shall be from the Archbishops Court into the Chancerie. AB. Appeales 5. 7.

1. & 2. P. & M. 8. 1. Eliz. 1. 31. H. 8. 9. 20 There shall be no payment of Annates or first Fruits to the Bishop of Rome, by any Archbish. or Bishops. Within what time a Bishop shalbe chosen after the Kings writ of Conge deslier shalbe deliuered vnto the Deane and Chapter: and within what time he, being chosen, shall be inuested and consecrated. AB. Bishops 1. 2. 3. 4.

1. Eliz. 1. 21 No imposition shalbe paid to the vse of the Bishop of Rome, or his See. Impositions to Rome. No person shal sue to the Bishop of Rome for any Licence, dispensation, or other instrument: But they shal be granted by the Archbish. of Canterbury, or his Deputie or Commissarie, for any such causes, whereof they haue bin accustomed to be had in Rome. AB. Dispensation 1. &c. No person shal depart out of this realme, to or for any assembly for Religion. AB. Conuocation 2. The King by the aduice of his Councell may reforme Indulgences. There shall be no visitation of any Monastery, Colledge, Hospitall, or Religious place by the authority of the Bishop of Rome, but by Commission vnder the great seale. CB. Indulgences

35. H. 8. 11 22 The marriage solemnized betweene the King and the Ladie Katherine his wife, before wife to Prince Arthur his brother (being against the Lawes of God) shall be adiudged void, and the separation thereof good. And every licence, and dispensation, before made to the contrary shalbe void. And the said Ladie Kath. shalbe called only Dowager to Prince Arthur, & not Queen. And the Patrimoine solemnized betweene the King and his wife Qu. Anne, shall be taken for perfect, good, & consonant to the Law of God: And al the children begotten, and to be begotten betweene the king and Qu. Anne, shalbe the Kings lawfull children, & inheritable to the Crowne of this Realme. The Crowne of England &c. shall be to the King. & to the heires males by his bodie, on the body of Qu. Anne lawfully begotten &c. And for default of such heires males, then to the heires males by the body of the King lawfully begotten. And for default of such Issue male, then to the Ladie Elizabeth, eldest issue female of the bodies of the said King and Qu. Anne begotten, and to the heires of her bodie. And for default of such issue, to the second heire female &c. And so from issue female, to

The Kings marriages.
The Crowne intailed.

King Henrie the eight.

to issue female, as the Crowne of England hath bene accustomed. And for default of such issue, to the right heires of the said King for ever. It shall be high Treason to write, or doe any thing tending to the hurt, of the Kings person, or to the disturbance of the Title of him, or his foresaid heires to the Crowne, or to the slaundering of his foresaid Marriage with Qu. Anne. And if any of the Kings subjects being commanded, shall refuse to take a corporall oath, firmly to observe the whole effect of this Act, then he shall offend in Disposition of Treason. No person shall marrie within the degrees prohibited by Gods Law. 26.H.8.1.
32.H.8.38.

Marriage.

Statutes made at the Session of Parliament holden by pro-
rogation at Westminster 3. die Nouemb. Anno 26. H. 8.
Anno Domini 1534.

The King
head of the
Church.

¶ 1 The King, his heires, and successors, kings of this Realme, shalbe taken and reputed, the onely supream head in earth, of the Church of England, and shall haue as well the Title, and stile thereof, as all honours, authorities, and commodities to the same belonging: And shall haue power to redresse all Errores, Heresies, and abuses in the same. 1. & 2. P. & M. 8.

An oath to the
K. and Qu.
Anne.

2 The forme of the oath which the Lords Spirituall and Temporall, and the Commons assembled in the last Session of Parliament did take, and all other the Kings subjects are, befoze certaine Commissioners, to take, for their faith, and obedience to the King, and the heires of his bodie begotten of Qu. Anne his wife, according to the statute of 25. H. 8. 22. 28. H. 8. 7. & 1. M. 1.

First fruits
Tenthys.

3 The King shal haue the first fruits and Tenthys of all Promotions spirituall within his Dominions (certaine except.) His remedies to recover them: And the penalties for default of payment of them. 2. & 3. P. & M. 4.
1. Eliz. 4.

Periurie in
Wales.

4 An Officer shall be appointed for the keeping of a Furle in Wales, and the penalties of the Juroys which vpon trials there, doe commit periurie. AB. Ecclesiasticall &c. 24.
25. 28. 29.

Passages by
on Seuerne.

5 No man hauing any passage vpon Seuerne shall transpoyt any offendor into, or forth of Wales, at vnlawfull times. AB. Boatmen 12.

Wales.

6 All persons resiant in Wales, or the Lordships Marchers, shall vpon warning appeare at Courts befoze the Justice, or other officers. A remedie where an officer there doth impzison any vpon an vntrue surmise. No weapons shall be brought to Courts, Faires, or Churches there. No gathering of Commoners, or procuring of Games there. No person shall cast any Arthell there. Inquiry in the Counties adioyning of offences committed within Lordships Marchers. Proses awarded against offendors. To whom offendors shal be committed. Where felonies committed in Perioneth shall be determined. 4. H. 4. 27.

Waies in
Sulley.

7 The Statute made 14. H. 8. 6. touching altering of waies in the wild of Kent, shall take effect, and be put in execution in euery conuenient place within the Countie of Sulley. R.

Northwich.

8 The owners of void grounds within the Citie of Northwich, shall reedifie them, or inclose them with walles of moztar and stone, within two yeeres after Proclamation: Or else the Maior, Sherifes, Citizens, and Comminaltie of Northwich may doe it, and retaine it to them and their Successors for ever, discharged of all rents, so as they reedifie or inclose the same within two yerres, &c. R.

Lynne.

9 If the owners of decayed messuages in Lynne, in the county of Northfolke, shall

shall not reedifie them, or inclose them with walls of moztel and stone against the rage of the Sea, within one yeare after Proclamation thereof made, by the Papoz of Lynne: Then it shall be lawful for y^e chiefe Lordes of whom the said messuages be holden, to enter vpon them, and to retaine them, to them & their heires for ever: so that they repaire them within one yeere after: And if not, then the Papoz and comminaltie of Lynne may enter and enioy them, to them and their successors for ever, without any rent paying therefoze: so that they repaire them within two yeares after. And in default thereof the first owner may enter. *RR.*

10 The King during his life by his Proclamations, to be contained in letters patents, vnder his great seale, and inrolled in the Chancerie may repeale and at his pleasure againe reuine the Article of the Statute of 23. H. 8. 7. touching laying on L and French Wines, betweene Michaelmas, and the Purification: and all other Statutes made sithence 21. of his raigne, concerning the carrying forth the commodities of this Realme, or bringing in of fozeine merchandizes. *RR.*

Stat repealed by Proclamation.

11 Whosoener dwelling in Wales or the Marches thereof, shall assault, beat, or hurt any person of the Counties of Gloucester, Salop, or Hereford, & shall be indicted, and conuict thereof, shall be one yeare imprisoned. *RR.*

Assaults by Welshmen.

12 Those Clerkes conuict for robberie, or other offences in Wales, which be committed to the Ordinaries Prison, shall find sureties for their good abearing, according to the Statute of 23. H. 8. 1. before two Iustices of Peace, (whereof one to be of the Quorum) of the Shire wherein the conuict is kept in the Ordinaries prison: and if there be no Iustices of peace in that shire where the prison is, then in the next Countie. *AL.* 28. H. 8. 1.

Sureties by Clerks conuict.

13 It shall be high Treason to wish, or desire by words, or writing, or to imagine, inuent, or attempt, any bodily harme to be done to the King, the Qu. or their heires apparent, or to depriue any of them of the dignity, stile, or name of their royall estates, or to publish that the King is an Hereticke, Schismaticke, Tyrant, Infidell, or Usurper, or to detain from the King any of his Castles, or Holdes, or any of his Shippes, or munitions of warre. *RP.* 1. M. 1. No offendor in high Treason shall haue the benefit of Sanctuarie. Before whom Treasons committed out of the Realme shall be tried. Outlawrie of an offendor in Treason being forth of the Realme. *AB.* Treasons 10. 11.

Treasons

14 There shall be xviij. Cities, townes, and places, which shall be taken for Sees of the Suffragans of Bishops. Euery Bishop willing to haue a Suffragan shall elect and nominate to the King two men, who shall present one of them to the Archbishop, and he shall consecrate him. Suffragans shall haue no commoditie, or authoritie within the Dioces, but such as shall be assigned by the Bishop. *CB.* And his Residence ouer his Dioces shall serue for the Residence vpon his benefice. *AB.* Ecclesiasticall 22.

Suffragans

15 What duties spirituall persons beneficed within the Archdeaconrie of Richmond in Wozkeshire, shall take after the decease of any person. *AB.* Prob. *c.* 14.

Archdeac of Richmond.

16 The Statute of 14. & 15. H. 8. 3. touching Wozsted weavers of Par-mouth & Lynne made perpetuall. *AB.* Worsteds 1. & c.

Wozsted weavers

17 No sermons of spirituall persons shall be compelled to pay for their leafs, for the first fruits or Tenths granted to the King, notwithstanding any bargain, contract, band, reentrie, &c. heretofore made. *RR.*

Fernozs of spirituall persons

18 The Kings generall and free pardon confirmed by authoritie of Parliament: Except &c. *RR.*

Pardon

1. Ed. 6. 12.
13. Eliz. 1.
14. Eliz. 1.
1. & 2. P. & M. 10.

5. Ed. 6. 11.
25. H. 8. 2.

1. & 2. P. & M. 8.
1. Eliz. 4.

21. H. 8. 5.

21. H. 8. 11.

1. Eliz. 4.

King Henrie the eight.

Statutes made at the Session of Parliament holden by
prorogation at Westminster, 4. die Februarii, An. 27. H. 8.
& Anno. Dom. 1535.

Townes

¶ 1 A remedie for the repaire of decayed houses or grounds within the precinct of the Townes of Nottingham, Shrewsburie, Ludlow, Gloucester, Bridg-north, Quinborough, and Portsmouth. AB. Townes 8.

Forgerie the
K. Seale.

2 It shal be high Treason, falsely to forge and counterfeit the Kings signe 1. M. 6.
mannall, priuie signet, or priuie seale. EP. 1. M. 1.

Kingston vpon
Hull.

3 The Mayoꝝ of Kingston vpon Hull, and his successoꝝs, and all officers within the same towne, shall suffer the inhabitants of Norfolk, and Suffolke and of all places repairing thither with Victuall, betweene the Feasts of All Saints, and the Purification of our Ladie, freely to bring their herrings, and other fish to the said towne, and there to sell the same by water or land, by retails or in grosse, to whom, and when they will (within the said time) without any toll, custome, or other composition to be taken of the buyer or seller of the said fish, or of the Shippes, or Vessels wherein the same shall be brought, except of euery ship with herring or other fish being xx. Tunne or vnder, v. s. And of euery vessell aboue, vj. s. viij. d. And the said Mayoꝝ, &c. shall fauourably in- treat the said inhabitants repairing to the said towne with fish, without searching, or setting of vnlawfull pꝛices, or without willfull delay of searching, or setting of pꝛices. And if the Mayoꝝ or any officer in Hull, doth exact moꝛe then is due, or doth offend in any point contrarie to this statute: Then vpon complaint to the Kings Counsell the Offendoꝝ shall be adiudged by them or thꝛee of them (whereof the Lord Chanceloꝝ shal be one) to pay to the King and party grieved xx. l. No person shall sell fish in Hull by retails but free Burgeses of the same towne. AL. 33. H. 8. 33.

Hull.

Pirates.

4 The trial, order, and punishment of Pirates, or robbers on the Sea. 28. H. 8. 15.

Iustices in
Wales.

5 The Lord Chanceloꝝ of England, or Lord Keeper, &c. shall haue authoritie to appoint vnder the great Seale, Iustices of peace, Just. of Quorum, & Just. of Gaole deliuerie, in the Countie of Chester, Flint, Anglesey, Cairnaruan, Merioneth, Bardigan, Kairmarthen, Pembroke, and Glamorgan, which shall haue power to enquire, heare, and determine, as other Iustices in England haue. Into what courts or places, the effreits, issues fines, and amerciaments forfeited befoꝛe the said Iustices shall be certified. AL. 34. H. 8. AB. Wales 30. 35.

Hares

6 Owners, and Fermers of Parkes, shall keepe breeding Hares, which shall not be couered with hoxses of small stature, or value. AB. Hoxses 1. 2.

Exactions in
Wales.

7 All vnlawful customes for the taking of vnreasonable exactions in foxests in Wales shall be determined. AB. Wales 112.

Deduction of
the Tenth

8 The Tenth of each Spiritual promotion shalbe deducted to euery Eccle- 1. Eliz. 4.
siasticall person, the first yeere wherein he payeth his first fruits. A remedie for the successoꝝ of an Incumbent which shall be charged to pay to the King any summe of money, due for the Tenth, in the time of his pꝛedecessoꝝ. AB. Eccle- siasticall &c. 26.

Butchers.

6 The Statute of 24. H. 8. 3. 25. H. 8. 1. & 24. H. 8. 7. touching Butchers selling of flesh, &c. shalbe in suspence, and not put in execution during a certain time. EP.

Wes.

10 Such persons shall bee in lawfull possession and seisin of Landes, which haue the vse thereof. Land assured to the vse, that a Rent should bee payed out of the same. AB. Vses 1. &c. A woman shall not haue both Joint.

Jointure and Dowter out of the Husbands Lands : But if the Jointure bee made after marriage, she may chose which she will take. AB. Dowter. 4. 5. 6.

11 The course and manner of suing forth, and proceeding, with those gifts, grants, and writings, which shall be made vnder the Kings signe manuell, and the fees of the Clerkes of the Signet, and priuie Seale. AB. Clerke of the Signet &c. 1. &c.

33. H. 8. 18. 12 Euerie Clothier shall weaue his marke in each cloth and kersie made to be sold, and also shall set his seale of lead to euerie such Cloth, wherein shall be contained the length thereof. When the Aulnager shall set his Seale to Clothes. The breadth of euerie broad cloath and kersie. The buyer of any cloth so marked and sealed, shall not draw oʒ stretch it, vpon paine of foʒfeiture of the double value thereof. RP. 5. Ed. 6. 6.

7. Ed. 4. 3. 3. H. 7. 11. 33. H. 8. 19. 13 Of what value Cloth carried beyond the Sea may bee. AB. Drape. Cloth. ric. 98.

14 Leather to be carried beyond the Sea shall be sold, and packed by a man thereunto sworne, and appointed by the Customers and Controulers of the Port oʒ Haven, where the same, shall be shipped. How much euerie seller shall haue foʒ telling of a Dicker. A packe of Leather shall containe as many Dickers vnder vij. as it shal please the owner. A stranger conueying Leather from one Port to another, shall cause the same to be told, and customed in the first Port, and a certificat to be made of the number and quantity of the Dickers. None hauing a Tanhouse shall transport Tanned Leather, vpon paine of foʒfeiture thereof, oʒ the value. AL. 18. Eliz. 8.

35. H. 8. 16. 3. Ed. 6. 11. 15 The King shall haue authozitie to name xxiij. persons, viz. sixteene Spirituall, and sixteene Tempozall, to examine the Canons and Constitutions heretofore made according to the Statute of 25. H. 8. 19. RP. 1. & 2. P. & M. 9. Canons examined.

21. H. 8. 7. 5. Eliz. 10. 16 Inrolment of Bargaines and Sales of Lands, and the fees foʒ Inrolments in the Countie. AB. Inrolment 1. &c.

17 A Seruant attainted foʒ imbezelling his Masters casket, iewels, money, goods, oʒ chattels to the value of xl. s. oʒ aboue, shall loose the benefit of Clergie, and Sanctuarie and be put in execution. RP. 1. M. 1. Seruant.

18 If any person doe procure any thing to be done to the annoyauce of the Riner of Chamise, by making of shelses, by mining, digging, casting of dung, oʒ rubbish into the same Riner: oʒ conuey away any boards, stakes, pillars, oʒ Timber-wozks from the bankes oʒ walles, except it be to repaire the same againe: Oʒ doe dig oʒ vndermine any bankes oʒ walles on the water side to the impairing of them, he shall foʒfeit fine pounds to the King and Mayor of London. Balasting of Shippes shal be taken of grauel and sand of the shelses. RR. Annoyance of Chamise.

19 Sanctuarie persons shall weare badges, but no weapons. They shall not goe abroad befoʒe Sunne rising, noʒ after the setting thereof. They shall not resist their Gouvernoʒs. Their Gouvernoʒs shall determine contracts of Deft, Trespasses, and couenant betweene persons in Sanctuarie vnder xl. s. RP. 1. Jac. 25. Sanctuarie persons.

32. H. 8. 7. 3. Ed. 6. 13. 20 Tithes shall be set foʒth oʒ payed according to the custome of the Parish where they shall be due. The remedie to recouer Tithes withholden. AB. Tithes 20. 22. Tithes.

21 An order foʒ the payment of Tithes, within the Citie, and Suburbes of London, according to a Proclamation befoʒe made. AL. 37. H. 8. 12. Tithes in London.

4. H. 7. 19. 7. H. 8. 1. 5. Ed. 6. 5. 22 The King shall haue the moitie of the profit of those Landes already conuerted from Tillage to Pasture, sithence thzee yeares befoʒe 4. Henrici 7. vntill Husbandrie.

King Henrie the eight.

untill the owner hath builded by a convenient house to inhabit, and converted the same pasture to tillage againe: And also shall take the moitie of the issues of those lands hereafter to be converted, if the immediate Lord do it not with, in one yeare. But this Act extendeth onely to the Counties of Lincolne, Nottingham, Leicester, Warwicke, Rutland, Southampton, Bedford, Buckingham, Oxford, Berks, the Isle of Wight, Worcester, Hertford, & Cambridge. 39.Eliz.1.

Hauens.

23 An alteration of the penalty, and of the persons to whom the moity thereof is given, limited by the stat. of 23. H. 8. 8. provided for the preservation of Ports and Hauens in Cornwall and Denonshire. AB. Hauens 4.7.&c.

The R. Pre-rogatives.

24 No person shall haue authoritie to pardon Treasons, Felonies, or outlawries, or to make Iustices in Cire, of Assise, of Peace, or Gaole deliuerie, but the King. All writs and Indictments shall be made in his name. He shall haue all fines and forfeitures assessed vpon any officers of Franchises, for not execution, or insufficient returnes of writs. The Kings preheminance in his Purueiours, Clerke of the Market, &c. Statutes provided for Sherifes shall extend to Bailifes of Liberties &c. AB. Prerogatiue 17.18.19.20. Franchises 1.&c. Purueyors 23.

Poore.

25 All Gouernors of Cities, Shires, townes, hundreds, hamlets, and parishes, shall succour, finde, and keepe, euerie aged poore, and impotent person, which was bozne, or dwelt thre yeares with in the same limits, by way of voluntarie and charitable Almes, in euery of the same Cities, and Parishes, &c. with such convenient Almes, as shall bee thought meet by their discretions, so as none of them shall be compelled to goe openly in begging: And also shall compell euerie sturdy Wagabond to be kept in continuall labour, in such sort, as he may get his liuing by his owne labour. Childzen vnder xiiij. yeres of age, and aboute v. that liue in idlenesse, and be taken begging, may be put to seruice by the Gouernors of cities, townes, &c. to husbandrie, or other crafts, or labours. A valiant Begger or sturdie Wagabond, shall at the first time be whipped, and sent to the place where he was bozne, or last dwelt by the space of thre yeres, there to get his liuing by his Labour. And if he continue his rogishe life, he shall haue the vpper part of the grille of his right Care cut off. And if after that he be taken wandring in Idlenesse, or both not apply his labour, or is not in seruice with any master he shall be adiudged and executed as a felon. No person shall make any common or open Dole, nor shall giue any mony in Almes, but to the common bores, and common gatherings in euerie Parish, vpon paine to forfeit ten times so much as shall be giuen. Where shall be no playing at vnlawfull games. Exp.

Wagabond.

Doles.

Games.

Wales.

26 The Dominions of Wales shall be incorporated, and annexed to the Realme of England: And the Lawes and Statutes of England shall be executed in Wales. Diuers Lordships Marchers annexed to seuerall counties in England and Wales. AB. Wales 1.&c. 34.H.8.

Court of Augmentations.

27 The court of Augmentations of the Reuenewes of the Kings Crowne, shall be a court of Record, and shall haue a great Seale, & priue Seale: of which Court shall be officers, The Chancelor, the Treasurer, the Attorney, the Solicitor, tenne Auditors, seuentene particuler Receiuers, a Clerke, an Usher, and a Messenger. Their seuerall oathes, and duties. All Monasteries and Religious houses, and Lands which haue come, or hereafter shall come vnto the Kings hands, and all Lands which hee hath purchased, or hereafter shall purchase, shall be within the suruey and gouernance of the saide Court. AL. 1. M. 10. A Tenure in Capite by Knights Service, and an yearely rent of the Tenth part shall be reserued vpon all the grants 7.Ed.6.6. 35.H.8.14. 37.H.8.20. 7.Ed.6.3.

grants in fee simple made by the king of any of the said religious lands, under the great Seale of England. AB. Tenure 6.

Statutes made at the Parliament begun and holden

at Westminster 8. die Iunii Anno 28 H.8. & Anno Dom.

1536.

- 1 The Statutes of 22. H.8. 14. 23. H.8. 1. & 25. H.8. 3. & 6. continued Clergie untill the last day of the next Parliament. Such as be within holy orders, shall be under the same paines and dangers for their offences, as other persons being not within holy orders. AB. Clergie 16.
- 2 The Stat. of 21. H.8. 7. & 27. H.8. 17. touching servants imberilling their masters good, made perpetuall. EP. 1. E. 6. 12.
- 3 Authoritie given to the king by writing under the great Seale, newly to alote the townes in the Shires and Marches of Wales, & to name the Shires townes at any time within thre yeres, notwithstanding the Stat. of 27. H.8. 26. made to that effect. EP.
- 4 A repeale of the Statute of 21. H.8. 14. touching the length and breadth of Dowlas and Lockrams to bee brought into this Realme. The contents of Dowlas and Lockram. AB. Linnen &c. 1.
- 5 No prentice or Journeyman shall be restrained by othe or bond to keepe house or shop. The fees for entrie of an apprentice & Freeman. AB. Corporations 3. 4.
- 6 The Statute of 22. H.8. 12. touching impotent beggers, and vagabonds, and of 22. H.8. 7. concerning carrying of horses forth of this Realme, and of 26. H.8. 11. touching Welshmen making assaults or effayes upon &c. and of 25. H.8. 6. against the vice of Buggerie, continued untill the last day of the next Parliament. EP.
- 7 A repeale of the Statute of 25. H.8. 22. & 26. H.8. 2. ordained for the establishment of the succession of the Crowne of England, and of an oth to be taken for the performance thereof. A pardon granted to all those which have spoken, done, practised, or attempted by words, writings, or exterior acts, any thing against the Mariage betweene the King and Queene Anne Boleyn his late wife, or for the setting forth of the divorce thereof: Or against the said Queene Anne or the Lady Elizabeth her Daughter, or to any of their slanders, perils, or dishonors: Or have wished, willed, desired, invented, or practised, any bodily harme to the said Queene Anne, or Lady Elizabeth, or to depprue them, or either of them, of the dignitie, title, or name, of their royall estates. The said Queene Anne Boleyn, and G. B. V. P. F. M. W. B. and P. S. her complices, attainted of high Treason. The marriage solemnized betweene the King and the Lady Katherin Princesse Dowager deceased, wife to Prince Arthure deceased, shall be adiudged void, and the separation thereof good: and the issue borne betwene the same marriage shall be illegitimate, and barred to claime any inheritance as lawfull heire to the King by lineall descent. And the marriage betweene the King and Queene Anne Boleyn (which was never good, nor consonant to the Law, but utterly void and of none effect) shall be adiudged of no force, and the separation and divorce thereof by the Archbishops sentence shall be good. And all the children borne under the same marriage, shall be taken and reputed illegitimate, to all intents, and utterly excluded to challenge any inheritance as lawfull heire to the King. And if any person by writing, words printing, or other exterior act, shall take, iudge, or beleue either of the said marriages solemnized betweene the King and the

Wales

Prentices
Journeyman:

Statutes
continued.

A repeale.

A pardon.

Queene Anne
attainted of
Treason.

Ladie Marie

L. Elizabeth.

force

King Henrie the eight.

- foresaid Lady Katherine, or Lady Anne, to be good or lawfull : or shall take, accept name, or call any of the children borne under either of the said marriages, to be legitimate, and the Kings lawfull children, then he shall be adjudged a high traitor. The Crowne of England shall be to the King, and the first son begotten betwene him and Quene Jane his wife, and to the heires of the body of the said first sonne lawfully begotten, &c. And if Quene Jane die without issue male, then to the sonne and heire male of the kings body lawfully begotten by any other wife. And for default of such heires, to the issue female of the kings body lawfully begotten, viz. to the eldest issue female &c. And for default of all such heires, then to such person or persons in possession and remainder, as the King by his letters Patents under the great Seale, or by his last will in writing, signed with his hand, shall assigne, and limit the same. Every person upon the kings commandement, shall take an oath for the performance of this Act, and of all things that shall be done by the king, and by the authority thereof. And he that refuseth to take the said oath, shall be adjudged a Traitor. And in case any other oath hath beene made by any person, he shall repute the same as vaine and adnihilate. No person shall marie within the degrees prohibited by the lawes of God. AL. 35. H. 8. 1. EP. 1. M. 1.
- The Crowne entailed.** 8 The Stat. of 21. H. 8. 10. & 21. H. 8. 12. & 23. H. 8. 17. & 24. H. 8. 9. continued to the last day of the next Parliament. EP.
- An oath.** 9 The Stat. of 23. H. 8. 5. & 23. H. 8. 2. & 25. H. 8. 9. & 24. H. 4. continued to the last day of the next Parliament. EP.
- Continuance of Statutes.** 10 If any person shall extoll, or defend the authority of the Bishop of Rome or of his See, heretofore used within this Realm, he shall incur the penalties provided by the Stat. of Pœmunire, made Ann 16. R. 2. Every Ecclesiasticall and lay officer, before he take upon him the execution of his office, shall be sworn to renounce the said Bishop, & his authority, & to resist it to his power, & to repute any former oath by him taken, in maintenance of the said bishop or his authority to be void. And the refusing of the said oath being tendered, shall be adjudged high treason. EP. 1. & 2. P. & M. 8.
- Continuance of Statutes.** 11 The fruits taken during the vacation of a benefice, shall be restored to the next Incumbent, whose charge to the king for first fruits, and benefit of yearling, shall begin from the first vacation. AB. Ecclesiasticall &c. 24. 30. If a spirituall man that doth demise his benefice to a lay person by writing, shall surrender the same, the lessee shall enjoy his lease for vij. years, if the lessor doe so long live : But if the lessor die, then for one year only, and yet the successor shall have the house, and glebe land not sowne, upon a moneths warning. AL. 1. & 2. P. & M. 17. An Incumbent may bequeath the crop of his glebe being sowne. AB. Willes 21.
- Bishop of Rome.** 12 The limits and bound of the kings new palace at Westminster, which shall have within the precincts thereof, such privileges, prerogatives, and immunities, as to the ancient palaces have heretofore of right belonged. FR.
- The fruits of a benefice.** 13 Which spirituall persons may be discharged of residence upon their benefices, and for what causes. AB. Ecclesiasticall &c. 22.
- Lease of a benefice.** 14 The prices of the butte, tunne, and pipe, &c. of wines to be sold in grosse, shall be assessed by the L. Chancellor, Treasurer, &c. Each vessel of wine shall be gauged, and what shall be the contents thereof. AB. Wines. 1. 2. 13. 14. No person shall sell Gascoigne, Gaian or French wine, above viij. s. the gallon, j. s. the pint, &c. upon paine to forfeit for every pint sold above iij. s. &c. No Palmes, Rommeies, Sacks, or other sweet wines, shall be sold by retails above xij. s. the gallon, upon paine to forfeit iij. s. iij. s. for every gallon sold above. S. 7. Ed. 6. 5. & 5. Eliz. 5. & 1. Jacob 25. & Q.
- R. palace at Westminster.** 15 The

1. & 2. P. & M. 8.

5. Eliz. 4.
13. Eliz. 2.

1. Eliz. 4.

21. H. 6. 13.

27. Ed. 3. 8.
18. H. 6. 17.
1. R. 3. 13.

- 27.H.8.4. 15 The trial, ording, and punishment of pirats and robbers on the Sea. Pirates
AB. Pirats 1.
- 1.& 2.P.& 16 All Bulls, Bienes, faculties, and dispensations, heretofore obtained of Bules from
M. 8. the bishop of Rome, or any of his predecessors, to any subiect of this realme, Rome.
1.Eliz.1. shall be void, and shall neuer bee pleaded, or allowed in any place or Court of
this Realme. But if it shall appeare to such persons as the King shall appoint,
that the effect of the said Bulls, &c. or any part thereof may be granted by the
Archbishop of Canturburie: Then upon suit made by any of the Kings sub-
iects, he shall have the effect thereof granted vnder the great seale of Eng-
land, paying for the Seale thereof xx.s. iiii.s. for the writing iij. s. iiii.s. and for
the examination iij. s. iiii.s. And every such licence, confirmation, writing, &c.
shall be good and effectual to the parties suing for the same, and shall be allow-
ed in all Courts and places of this Realme.
- 17 If the Crowne of this Realme after the Kings death shall descend or Statutes in
come to any person being within the age of twentie foure yeeres, and any Act the Kings in-
of Parliament shall be made before such person shall bee of the full age of noritie.
twentie foure yeeres, then such person being possessed of the Crowne, shall
haue authoritie after his said age of twentie foure yeeres, by his Letters Pa-
tents, vnder the great Seale: to repeale all and every such Acts. R. 1. Edw.
6. 11.
- 18 Whosoever shall marrie any of the kings children, being lawfully born, Marriage in
or otherwise commonly taken for his children, or any of the kings sisters, or the Kings
aunts of the part of the father, or any the lawfull children of the kings brethren blood.
or sisters, or contract mariage with any of them, without the kings licence vnder
the great Seale: or defile, or deflower any of them, not being married, he
shall be adiudged a Traitor. R. 1. Ed. 6. 12. 1. M. 1.

Statutes made at the Parliament begun and holden
at Westminster 28. die Aprilis, Anno 31. H. 8. & Anno
Domini 1539.

- 32 H. 8. 32. ¶ 1 Jointenants, and tenants in common of any estates of inheritance Partition.
are compellable to make partition by writ. And euery of them shall haue aid of
other. AB. Partition 2. 3.
- 2 All fishing with nets hookes, or baits in euery seuerall pond, fletve, or Unlawfull
mote, with intent to steale the fish, from the houre of six in the euen tide, vntill fishing.
sixe in the morning: and the vnlawfull breaking of the head of any seuerall
pond, fletv. or mote, by day or night, without colour of title, whereby any fish
shall be taken or destroyed against the owners will, shall be felonie. R. 1. E. 6.
12. And he that fisheth in any pond &c. at any other time then is aforesaide, shall
be thre moneths imprisoned, and then find suretie for his good abearing, or
else remaine in prison vntill &c. AL. 5. Eliz. 2. 1.
- 3 All the Manor, Lands, Tenements, and Hereditaments, lying with Gavelkind in
in the Countie of Kent, of which Thomas Lord Cromwell, Thomas Lord Kent.
Burgh, &c. viz. 34. persons, be seised to their owne vles in fee simple, or fee
taile, being of the nature of Gavelkind, and which heretofore haue bene de-
partible betweene heires males, shall hereafter be changed from the same cu-
stome, tenure, and nature, and shall descend and come according to the com-
mon law. R.
- 4 It shall be lawful to the Mayor, Bailifes, and comminaltie of the citie of The citie
of g. Exeter
Exe.

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Creter and their successors, to plucke downe, moine, bzeake, banke, and cast
 by all towres, rockes, sands, grannels, and other lets in the river of Cre, and
 in all other places and grounds convenient, and necessarie for the same, whose
 soever they be, betweens the said Citie and the high sea, and to doe and make
 all other things requisite, whereby Shippes, Boates, and vessels may haue
 their sure course and recourse in the said river, to and from the said citie, the
 said Mayor and Bailifes, &c. making recompence to the owners and farmers
 of the soile where such digging shall bee: for the which recompence the said
 owners or farmers greened shall haue an action of debt against the said Mayor
 &c. R.

Hampton
Court.

5 The Mayor of Hampton Court, with diuers Lordships, lands, and te-
 nements thereunto vntied, shall be called the honour of Hampton Court. And
 the king shall haue therein a chase, and free chase, and warreine for all beastes
 of venerie, and fowles of warreine, which shall be named Hampton Court
 Chase. And all offenders in the same chase shall incurre such penalties as the
 like offenders doe in any other forrest or chase. And the said Honour and chase
 of Hampton Court, and all the manors and lands within the same, shall be in
 the suruey and gouernance of the Court of Augmentations. R.

Religious
persons.

6 Religious persons professed, shall bee enabled to inherite, purchase, 5.Ed.6.13.
 sue, and to be sued. AB. Abilic 3. But they shall be excluded from ma-
 riage.

Statutes
continued.

7 Certaine Statutes made Anⁿ 21. 22. 23. 24. 25. 26. 27. H. 8. continued un-
 till the last day of the next Parliament. RP.

Proclamation
as a Statute.

8 The King for the time being, with the aduice of his Councel, or the more 34.H.8.23.
 part of them, may set forth proclamations vnder such penalties and paines,
 as to him and them shall seeme necessarie, which shall bee obserued as though
 they were made by Act of Parliament. But this shall not be preiudiciall to
 any persons inheritances, offices, liberties, goods, cattels, or life. And who
 soever shall wilfully offend any article contained in the said Proclamation,
 shall pay such forfeitures, or be so long time imprisoned, as shall be expessed
 in the said Proclamation. And if any offending will depart the Realme, to
 the intent he will not answer his said offence, he shall be adiudged a Traitor.
 RP. 1. Ed. 6. 12.

Bishops and
their Deas.

9 The King shall haue authoritie from time to time, to nominate by his 25.H.8.20.
 letters patents, such number of Bishops, such number of Cities Deas for Bi-
 shops, Cathedrall Churches, and Diocesses, by metes and boundes for the ex-
 ercise of their Episcopall offices as shall appertaine: and to endow them with
 such possessions as he shall thinke convenient, and to make Translations,
 Ordinances, and Statutes concerning them. RP. 1. & 2. Philip. &
 Ma. 8.

Places in
Parliament

10 An order how all the Lords Spirituall and Temporal shall bee placed
 in the Parliament house at Arraignments, in the Star Chamber, and other
 assemblies and conferences of Councell. viz. First W. A. Cromwell the Kings
 Vicegerent in Ecclesiasticall iurisdiction, shall sit on the right side of the Par-
 liament chamber. And then next him the Archbishop of Canterburie, &c. York,
 London, Duresme, Winchester, &c. R.

Townes in
Wales.

11 The authoritie given to the King by the Statute of 28. H. 8. 3. to allot
 the townes in the counties and Marches of Wales, continued for three yeres
 more. RP.

The kings
Hawkes.

12 If any person shall unlawfully take, or cause to be taken any egge of
 any Falcon, Goshawke, Laner, or Laneret, or the birdes of any of
 them out of the nest &c. within any of the Kings lands: he shall finde and
 take

11.H.7.17. take vp any Falwkon, Gerfalwkon, Jerkin, or Sacer, or Saceret, Colshawke, Laner, or Laneret of the Kings, and hauing on it the Kings armes and beruilles, and doe not within twelue daies bzing or send the same to the Master of the Kings Hawkes, or to one of his Falwkoners, or to the Sherife of the same Shire: Or betweene the rising of the Sunne, and the setting of the same with his face hid or couered with hood, or viso, or painted or disguised to the intent he would not be knowne, shall enter into any Forest, Chase, or Parke of the Kings, Queenes, Princes, or any of the Kings children, or into any other ground of either of theirs, inclosed with wall, or pale, or dained for the keeping of Deere, to the intent to steale any of them, and by stealth take any of them, or dize any of them forth of the same Forest &c. Or at any time of the day with his face hid or disguised, kill any Conies, or Rabbits within any ground being the lawfull Marreine of the King, Queene, Prince, &c. Or within any of his or their Parkes: Or shall in the night betweene the Sunne going downe, & rising, enter into any Parke, Chase, Forest, &c. of the Kings, Queenes, or Princes, &c. to the intent to steale any Deere: Or into his or their Marreine to kill and steale any Conies, he shall be adiudged a Felon. *Hunting in the kings Parkes.* *RP. 1. Ed. 6. 12. 1.M.1.*

3.Ed.6.17.

13 The King shall haue to him his heires and successors for euer, all the Monasteries, and other religious and Ecclesiasticall houses and places, which be heretofore, or hereafter shall be surrendered, dissolved, relinquished, forfeited, or by any meanes come to his hands: And all their Scites, Circuits, Paroishes, Lands, Tenements, and Hereditaments. Leases of Abbey lands not usually let, Leases in Reversion, and Leases not reseruing the olde Rent, or Woodsales made within a yeere before the dissolution, shall bee void. Assurances of Abbey lands without the Kings licence: Leases alowed and inrolled in the Court of Augmentations. All Abbey land shall be within the suruey and gouernement of the Court of Augmentations. *Monasteries.* *AB. Monasteries 7. &c.*

35.H.8.7.

14 (1) If any person by word, writing, printing, cliphering or any other wise, doe preach, teach, dispute, or hold opinion, that in the blessed Sacrament of the Altar, vnder forme of bread and wine (after the consecration thereof) there is not present really the naturall body and blood of our Saviour Iesus Christ, conceived of the Virgine Marie: Or that after the said consecration there remaineth any substance of Bread or Wine, or any other substance, but the substance of Christ, God and man: Or that in the flesh vnder forme of Bread, is not the verie blood of Christ: Or that with the blood vnder the forme of Wine, is not the verie flesh of Christ, as well apart, as though they were both together: Or affirme the said Sacrament to be of other substance then is aforesaid: Or depraue the said blessed Sacrament: then he shall be adiudged an hereticke, and suffer death by burning, and shall forfeit to the king all his Lands, Tenements, Hereditaments, goods and cattels, as in case of High Treason. (2) And if any person preach in any Sermon, or collation openly made, or teach in any common Schoole, or Congregation, or obstinately affirme or defend, that the Communion of the blessed Sacrament in both kindes is necessarie for the health of mans Soule, or ought, or should be ministred in both kindes: Or that it is necessarie to be receined by any person (other then by Priests being at Masse, and consecrating the same.) (3) Or that any man after the Order of Priesthood receiued may marrie, or contract matrimonie. (4) Or that any man or woman which aduisedly hath vowed or professed, or should vowe or professe *The five articles.* *Ap ig. chastitie*

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chastitie, or widowhood may marrie, or contract marriage. (5) Whiche that priuate Passes be not lawfull, or not laudable, or should not be used, or be not agreeable to the Lawes of God. (6) Whiche that auricular confession is not expedient and necessarie to be used in the Church of God, hee shall be adiudged, suffer death, and forfeit lands and goods as a felon. If any Priest, or other man or woman, which aduisedly hath bowed chastitie, or widowhood, do actually marry, or contract matrimonie with an other: Whiche any man which is, or hath bene a Priest, do carnally vse any woman, to whom he is, or hath bene married, or with whom he hath contracted matrimonie, or openly be conuersionant or familiar with any such woman, both the man and the woman shall be adiudged felons. Commissions shall be awarded to the bishop of the Diocese, his Chancelor, Commisarie, and others, to inquire of the heresies, felonies, and offences aforesaid. *RP.*

Statutes made at the Parliament begun and holden at Westminster 28. die Aprilis, Anno 32. H. 8. & Anno Domini 1540.

- | | | |
|-------------------------|---|--------------------------------|
| Wills. | 1 In what cases any person may dispose and deuise by his last will in writing, or by any lawfull act executed in his life time, all his lands, and in what, but part thereof. And in what cases the King and other Lords shall haue their wardships, primer seisin, reliefe, fines for alienation, &c. AB. Wills 1. &c. Wards 25. | 34. H. 8. 5. |
| Limitation. | 2 A limitation of prescription, and within what time any person shall bring his writ of Right, Possessorie action, Auowrie, Formedon, Scire facias, &c. AB. Limitation 1. | 1. M. 1. |
| Burned in the hand. | 3 The Statute of 22. H. 8. 14. 23. H. 8. 1. 25. H. 8. 3. & 28. H. 8. 1. made perpetuall. Those persons being within holy orders which by the lawe may haue their clergie for felony, shall be burned in the hand, as lay persons ought to be. AB. Clergie. 16. | |
| Trial. | 4 Where Treasons shall bee tried that bee committed in Wales, or the Marches thereof, or where the Kings writ runneth not. AB. Treason 12. | 1. & 2. P. & M. 10. |
| Receptent. | 5 A remedie for the cognisee, or obligee, where lands deliuered vnto him in execution be recovered from him. AB. Execution 3. | |
| Wardens Court. | 6 The Wardens of the East, and West, & middle Marches toward Scotland, in their Warden courts, may heare & determine all felonious acts committed contrarie to the Statute of 23. H. 8. 16. touching selling of horses into Scotland. <i>RP.</i> 4. Iac. 1. | 1. Eliz. 7. |
| Tithes. | 7 Tithes shall be paid according to the Custome of the Parish where they be due. A remedie for him from whom they be detained. His penaltie which refuseth to pay after sentence giuen. Recouerie and conueiance of tithes in a tempozal court. Costs awarded vpon an Appeal. AB. Tithes 20. 21. 22. 23. 24. | 27. H. 8. 20.
2. Ed. 6. 13. |
| Fesants.
Partridges. | 8 Whosoever shall sell or buy any fesant or partridge (saue the officers of the Kings, Queenes, or Princes houses) shall forfeit for euery fesant vij. s. viij. d. and for euery Partridge iij. s. iij. d. AL. 1. Iac. 27. | 7. Iac. 11. |
| Maintenance | 9 No person shall sell or buy any right, or title, or maintaine or procure maintenance in any suit. AB. Maintenance 4. 7. 8. 9. | |
| Incontinency | 10 A repeale of the punishment by death, of priests, & of women offending by incontinencie with them, limited by the Stat. of 31. H. 8. 14. A priest offending by | |

by incontinency, shall the first time forfeit to the King all his goods, chattels, debts, and all his spirituall promotions, saving one. And being the second time convicted, hee shall forfeit all his goods, chattels, debts, and the issues and profits of all his Lands, Benefices, and promotions. And being the third time convicted, shall forfeit all his Goods, Debts, Lands, Benefices, &c. and be imprisoned during his life. And the woman being sole and unmarried, with whom he shall offend, shall the first time shee is convicted, forfeit all her goods, chattels, and debts: The second time the moitie of the issues and profits of all her lands during her life: And the third time the whole issue and profits of all her lands &c. and shall be imprisoned during her life. *RP. 1. Edw. 6. 12.*

11. H. 7. 17. 11 It shall be felonie to take, or cause to be taken, the Egge or Egges of Hawkes any Falcon, Goshawke, or Lanard, or their Birds out of their nests: Or with vizards or painted faces, or otherwise disguised, to the intent hee would not be knowne to steale Deere or Conies in the day time in a lawfull Parke or Warren: Or steale the Deere or Conies in the night there. *RP. 1. Edw. 6. 12.*

3. Ed. 6. 17. 12 All Sanctuaries, and places privileged, which have bene used for Sanctuarie, shall be utterly extinguished, except Parish Churches and their Churchyardes, Cathedrall Churches, Hospitals and Churches Collegiat, and all Chappels dedicated, used as Parish Churches, and the Sanctuaries to every of them belonging, and Wels in the Countie of Somerset, Westminster, Manchester, Portsmouth, Norwich, Poole, Darby, and Lancaster. None of the said places shall give immunitie or defence to any person which shall commit wilfull Murder, Rape, Burglary, Robberie in the high way, or in any house, or in any Church or Chappell, or which shall burne wilfully any House or Barne with Cozne. Hee that taketh Sanctuary in any Church, Churchyard, &c. may remaine there forty daies, as hath bene used, unlesse the Coroner repaire to him to take his Abiuration. In which case he shall abiure to any of the foresaid privileged places, not being full of the number appointed to them, viz. above twentie persons, there to remaine during his life. If a privileged person, daily called to appeare before the Governour, shall make default three daies: or if he commit any felony, he shall lose the benefit of Sanctuary. A privileged person abiuring to any of the foresaid places, shall be conducted from Constable to Constable directly, untill he be brought to the Governour of the said privileged place: And if that place be full of his number, then he shall be conducted to the next privileged place, and so to the next &c. untill. *RP. 1. Iac. 25.*

8. Eliz. 8. 13 Of what height horses shalbe which feed upon the common. A horse not of lawful height shalbe seized and measured. There shalbe verely dzifts of Forests, Chases, Commons &c. How infected horses and unlawful Wittes shalbe used. *AB. Horses 3. &c.*

1. Eliz. 13. 14 A confirmation of the Stat. of 5. R. 2. 3. 6. R. 2. 8. 4. H. 7. 10. & 23. H. 8. 7. Touching fraughting in English ships only. A rate what shall be paid for the freight or portage of severall sorts of Merchandises, to and from the Port of London to other places in other Provinces. *CB.*

15 In all Commissions to be granted to the Bishop of the Diocese, his Chancelloz and Commissarie, concerning Christian Religion, according to the Statute of 31. H. 8. 14. There shall be joined with them the Archdeacons and their Officials: All which shall be named in the said commissions by their names of Dignitie, and not by their Christian names and surnames. *RP. 1. Ed. 6. 12.*

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Aliens.

16 All Aliens shall be bound by and unto all the Lawes and Statutes of this Realme. No houses or Shoppes shall bee let to Aliens, not being Dents. How many Aliens any person may keepe in his house. AB. Aliens 13.14.15. 1.R.3.9. 14.H.8.2. 21.H.8.16.

Paving in London.

17 The Street leading from Algate within London, to White Chappell Parish without the same Gate, Chauncerie Lane, the way leading from the Barres in Holbozne Westward toward S. Gyles in the field, Graues Anne Lane, Shooe Lane, and Fetter Lane, shalbe paved with paving stone by such as have any lands adjoining thereunto, to the middelt of the said causeyes and lanes in length, as his or their Lands and Tenements doe lie, or extend: And shall be for ever yerely maintained by them, their heires, assignes, or successors: upon paine to forfeit for every yard not sufficiently paved, vs. And the Inhabitants may defaulte so much of the Lords rent, as they shall dispend therein. R.

Townes decayed.

18. 19. A remedie for the repaire of decayed houses within the Cities and Townes of Poike, Lincolne, Buckingham, &c. AB. Townes 7. 27.H.8.1.

Franchises of Abbeyes.

20 The same Franchises and tempozall iurisdiccions that the late owners of those religious Houses, Monastries, Lands, &c. which were assured to the King by former Statutes, had and exercised within three moneths befoze their dissolutions, shalbe reuined, and be really and actually in the King, his heires, & successors, and shall be in the suruay and gouernance of the Court of Augmentations. And those Abbey lands which be come to the King by attainder of Treason, shalbe in the order and gouernance of the Kings generall surueyours, & the same Franchises shall continue. The Scites, Circuits, Monastries, Lands, Hereditaments, Franchises, & Liberties of the late Monasteries of Furnes Cartemele, Coningshed, Burrough, and Holland, shall be within the suruey and gouernance of the Chancelor and Officers of the Dutchie of Lancaster. Fines may be leuied to the King, Wades to be enrolled, may be acknowledged to him, and obligations may be made to him in the Court of Augmentations. AL. 1. M. 10.

Court of augment.

Daies in Banke.

21 There shall be foure daies of returne in Trinitie terme, and not aboue. What daies shall be given in reall actions, doower, &c. AB. Daies 1. &c. 32.H.3.12.

Tenths detained.

22 If a Bishop or any of his deputies will take his oath upon his account, that he cannot leuie the tenth of any spirituall living, he shall be thereof discharged. AB. Ecclesiasticall &c. 29. An order how the King shall be answered of the Tenth of any spirituall promotion, omitted in the former certificate of Benefices. 16.Eliz.4. 26.H.8.3.

Subsidie.

23 A confirmation of a Subsidy of iiij. s. in the pound to be paid in 2. yerres, granted to the King by the Clergy of the Prouince of Canterbury, and of such summes of money, which after shall be granted to him by the Clergie of the Prouince of Poike. EP.

S. Johns of Hierusalem.

24 The Copporation of the Religion of S. Johns of Hierusalem in England and Ireland shall be dissolved, &c. AB. Monasteries 31. And all the Monours, lands, &c. of the same, shalbe in the suruay and gouernance of the Court of Augmentations. AL. 1. M. 10.

Lady Anne of Cleues.

25 The Marriage solemnized betweene the King and the Lady Anne of Cleues by the indgement of the Clergie of England in their Conuocation, is adiudged and pronounced to be void, and is, and shall be reputed to be void. And the King shall be at libertie to marrie any other woman, and she any other man. It shall be high Treason by writing, word, or deed, to accept, take, iudge or beleue the said Marriage to be good, or to procure, or doe any thing to the repeale of this Act. EP.

- 26 All Determinations, Decrees, and Ordinances, which according to Gods Word and Christs Gospell, by the K. aduice, and confirmation by his Letters Patents, shall be made and ordained by the Archbishops, Bishops and Doctors, appointed or to be appointed in & vpon the matters of Christian Religion, and Christian Faith, and the lawfull Rites Ceremonies, & Obseruations of the same, shall be in every point thereof belaned, obeyed, and perfozmed, to all intents & purposes, vpon the paines therein comprised. Provided, that nothing shall be ordained, or defined, which shall be repugnant to the lawes and Statutes of this Realme. EP.
- 27 A Resumption of certaine extraordinary Graunts and Licences made by the King of Absences, and Reuerfions in Calice, and in the Parches of the same, and in Berwicke, and of Spirifewikes for life in Wales. EP. Resumption.
- 28 Which Leases made by tenants in fee simple, tenants in taile, men seised of lands in the right of their wiues, or Churches, be good, and which void. Leases
- 34.H.8. 22. AB. Leases 1.2.3. The husbands only act of the wiues land, shall not preiudice her or her heires males. AB. Women 5. Husband. Wife.
- 6.Ed.1.3.
- 29 All Meases, Lands, Tenements, and Hereditaments, being Guildable, lying in Oswelbecke Soke, in the countie of Nottingham, heretofore partable betweene heires males, shall hereafter descend, reuert, remaine, abide, come, and bee inheritable, according to the common Lawes of this Realme. R. Oswelbecke Soke.
- 2.Ed.6.32. 30 After an Issue tried, there shall be iudgement, notwithstanding any Jeofaile, faile, or mispleading. AB. Jeofaile 1. When an Atturney shall enter his warrant in Court. AB. Atturney 13. Jeofaile. Atturney.
- 18.Eliz.13.
- 31 A Recovery by assent of the parties had against tenant for terms of life shall be void. EP.14.Eliz.8. Recovery.
- 31.H.8.1. 32 Jointenants and Tenants in common for lines or peres, shall be compellable to make partition. AB Partition 4.5. Partition.
- 33 A disseisor dying seised, taketh away no title of entry from the disseisee or his heires. AB. Entric 1. Entric.
- 34 Grantees of Reuerfions may take aduantage of Conditions and Covenants against the Lessees of the same lands. And Lessees may haue like remedy against the Grauntees, which they might haue had against the Grauntoes. AB. Condition 1.2. Condition. Covenant.
- 35 Euerie Iustice of the Kings Forrests, Chales, and Parkes may make as many deputies as he will. AB. Forrests 8. Deputie Justices.
- 36 A fine leuied by tenant in taile, shall be a barre to the heire of his bodie. Fines.
- 11.H.7.10. A fine leuied by the wife of the inheritance of her deceased husband: or by him which is restrained by Parliament: or of lands, whereof the King is in reuerfion doth not binde. AB. Fines 17.18.19.20.
- 37 A remedie for Executors to recouer Rents due to their Testatoz. The husbands remedie to recouer rent due in the life of his deceased wife. By what meanes a Rent may be recovered, the estate whereof depended vpon the life of a deceased person. AB. Rents 1.&c. Rents.
- 1.&a.P.& M.8. 38 What Parriages be lawfull, and betweene which persons, and which not. AB. Matrimony 1. What Parriage is indissoluble, which is contracted and solemnized in the face of the Church, and consumate with bodily knowledge, or fruit of child, notwithstanding any Precontract of Patrimonie. EP.2 Ed.6.23. Parriage. Precontract.
- 1.Eliz.1.
- 39 Charles Duke of Suffolke, and every other, which hereafter shall be the great Master of the K. house, shall haue all authorities that the Lord Stew. of the K. house had. EP.1.M.4. Grand Master of the House of the King.

King Henrie the eight.

- Physitions.** 40 Physitions in London shall be discharged to beare certaine offices there. 1.M.9.
Surgeons. Four Physitions shall bee elected to search Apothecarie wares in London. The forfeiture of such as being elected, refuse to be sworne, or make search, AB. Physitions 5.8.9. Physitions of London may practise Surgerie. AB. Surgeons 2.
- Inholders.** 41 Which Inholders may make Hozse-bread within their houses, notwithstanding the Statute of 13. Rich. 2. 8. & 4. Henrici 4. 25. AB. Inholders 2.
- Surgeons.** 42 Surgeons and Barbers in London made one Companie, their Authoritie, and Liberties. For Surgeon shall be Barberie, nor Barber Surgerie. 5.H.8.6.
Barbers. AB. Surgeons 3. &c.
- Chester** 43 Sessions shall be kept in the Countie of Chester twice in the yere only. 33.H.8.13.
 AB. Chester 1.
- Roiston Church.** 44 The Towne of Roiston being befoze in five Parishes, shall be reduced into one Parish, which shall haue the Priorie Church to their Parish Church, and bee called the Parish Church of S. John Baptist in Roiston. And there shall be a Vicar, alwaies to be presented by the King, his Heires, and Successors: which Vicar may sue and be sued, and purchase lands, &c. to him and his successors. And the Parish Church and Towne of Roiston shall be in the Dioces of London. R.
- Court of first fruits,** 45 There shall be erected a Court of Record, to bee commonly called the Court of first Frutes and Tenthes, for the leuying and gouernement of the first Frutes and Tenthes, graunted to the King by the Statute of 26. H. 8. 3. which shall haue a Seale: the Officers whereof, shall be the Chaunceloz, the Treasurer, the Kinges Attourney, two Auditozs, a Clerke, a Messenger, an Usher: with their severall oathes, charge, and duties. AL. 7.Ed.6.22.
1.Eliz.4.
 1.Ma.10.
- Court of wards.** 46 There shall be a Court of Record erected, called the Court of the Kings Wards, which shall haue a Seale: the Officers whereof, shall be a Master, an Attourney, a generall Receiuer, two Auditozs, two Clerkes, a Messenger, and an Usher: their severall Oathes, Charges and authorities. AB. Wardes 33.H.8.22.
33.H.8.39.
 27.28.
- Bishop of Pozwich.** 47 The Bishop of Pozwich and his successors, and in the time of vacacion, the Deane and Chapter of Pozwich, shall collect the Tenths of all promotions spirituall within the said Dioces, graunted to the King by the Statute of 26. H.8.3. And thereof shall account verely befoze the Barons of the Exchequer, and shall haue like allowance and discharge, as other Bishops and Collectozs of Tenthes haue. AB. Ecclesiasticall &c. 28. By a Statute not printed, made Anno 27. H.8. The Bishops of Pozwich and his Successors were discharged of the collection of the said Tenth. 1.Eliz.4.
- Tenths.**
- Douer rents** 48 The owners of Lands holden of the Castle of Douer, which are bound by their tenures to pay their Rents at the said Castle, vpon great penalties, called Surcises, shall hereafter pay the same Rents to the King in the Exchequer, in the day of Simon and Jude, or within fifteene daies after: and he that maketh default at that time, shall pay double the rent. But he that is bound to build or repaire there, shall doe it accordingly. During the time that the King shall haue any lands in his hands for Wardship, or Primer Seisin, no rent shall bee paid for Castle Ward to Douer. One hundred and threescore pounds shall be quarterly payed enery yere to the Constable of the Castle of Douer, at the dooze of the common Hall in the Citie of Canterbury, by the Kings generall Receiuer, to discharge Officers and Souldiours. The Constable of the Castle of Douer shall suruay and controll the Keepers and chiefe
- Constable of Douer Castle.**

chiefe Officers of the Castles, Blocke-houses, and Bulwarkes in Kent, and
Suffe, and all the Officers, Souldiers, and Positions there. *RP.*

49 A Confirmation of the Kings general and free Pardon, of all Heresies, Pardon,
Treasons, Felonies, Robberies, Offences &c. Except &c. *RP.*

Statutes made at the Parliament begun at Westminster

19. die Januarii, Anno 33. H. 8. & Anno

Domini 1541.

¶ 1 The punishment of him which doth get into his hands any money or Counterfeit
goods of another persons, vnder the colour of a false token or counterfeit let
ter. *AB. Counterfeit 1.*

23. Eliz. 7.

2 Whosoener shall buy any fresh Fish (except Sturgeon, Dorpiss, & Sele) Fish,
of any stranger in the parts of Flaunders, Zeland, Picardy, or France, or vp
on the sea, betweene those and those, or in any place beyond the sea, to put to sale
to any person within this realm, shal forfeit for every time &c. But this shall
not extend to any person which shal buy fish in any parts of Ireland, Scotland,
Dykeney, Sholland, Ireland, or Newland. *RP.*

3 Welch Clothes, called Whites, Kassetts, and Kennets, shall be solded el Cloth.
ther in Blaites or Cuttels. *AB. Draperie 63.*

4 The Statute of 4. H. 8. 7. & 25. H. 8. 9. concerning Pewterers, made Pewterers
perpetuall. The penaltie for withstanding, or letting of serching, or seising of
wares made of Tinne out of this Realme. *AB. Pewter 6. 7. 8. 9.*

5 How many stoned trotting Horses for the saddle, every person shall bee Stoned hor-
bound to keep, in respect of his degree, lining, wines apparell, or for any other
cause. *AB. Horses 10. 11. 12.*

2. Ed. 6. 14.

6 A repeale of the stat. of 25. H. 8. 17. & of all other statutes made to restrain Gunnes.
the shooting in Crosbowes and Handgunnes: Who may keepe or shoot in a Crosbowes
Gunne or Crosbow, and who not. Of what length his Gun shalbe: in what
place, and at what marke he may shoot. *AB. Gunnes &c. 1. &c. A pponiso for the
licencing of the inhabitants within xij. miles of the borders of Scotland to
keepe Gunnes, Crosbowes, &c. RP. 4. lac. 1.*

2. Ed. 6. 37.

21. H. 8. 10.

5. Eliz. 16.

1. lac. 12.

7 No person shall conuey any Brasse, Copper, Latten, Bell Metall &c. out Brasse,
of the Kings Dominions. &c. *AB. Brasse 1. &c.*

8 It shall be felony to practise, or cause to be practised Coniuration, witch Coniuration
craft, Enchantment, or Sozcerie to get mony, or to consume any person in his
body, members, or goods: or to prouoke any person to vnlawfull loue: or for
the despight of Christ, or lucre of money, to pull downe any Crosse, or to de-
clare where goods stolne be. *RP. 1. Ed. 6. 12.*

3. H. 8. 3.

9 Artillerie shall be maintained. *AB. Archerie 1. &c.* And vnlawfull Plaies Archerie.
& Games shall be debarred. *AB. Plaies 1. &c.* All former stat. made against vn-
lawfull games, and for the maintenance of Artillerie, repealed. *Plaies.*

10 All J. of P. within enerie Countie, Citie, Bozough or place within the Sixe weekes
B. dominions, shal perely at the general M. Sessions, holden next after Easter
divide themselves, and limiting two at the least into Hundreds, wapentakes,
number of Townes &c. They shal hold one Session for the limits of their divi-
sion, beside the M. Sessions, six weekes befoze the M. Sessions, wherein they
shall enquire of bagabonds, Keteiners, giuing of Lineries, Wadges, Painte-
nance Ambzacerie, &c. and heare and determine the same, according to the stat.
for such offences prouided. And they may refozme Panels returned befoze
them. *RP. 37. H. 8. 7. for the sixe weekes Sessions: and confirmed for the enqui-
rie of the same offenders at the M. Session. AB. Iustice of Peace 20.*

King Henrie the eight

- Butchers** 11 A Repeale of the statute of 24.H.8.3. & 27.H.8.1. limited Butchers to sell flesh by weight, and at certaine prices.
- Bloudshed within the Kings house.** 12 The trial and punishment of Treasons, Murtherers of Treasons, Murders, Murtherers, and other malicious killings, whereof bloud shal be shed in the Kings house, or where he shall abide. AB. Fighting 1. Trial 4.5.6. And the view and inquisition of the aforesaid offences, shall be taken by the Coroner of the Kings house. AB. Coroners 18.
- Chester Wales.** 13 When and where the Shire Court, and the Sessions for the Countie of Chester shall be kept. AB. Chester 1. Countie 2. Certaine Lordshippes in Wales remooved from the Countie of Denbigh to the Countie of Flint. AB. Wales 98.
- Pyphettes** 14 It shalbe felonie to print, writ, speake, sing, or declare to another, of the King, or any other person, any false pypherie, upon occasion of any Armes, fields, beasts, fowles, or such like things, accustomed in Armes, Cognissances, or Badges, or by reason of Letters of the name of the King, or any other. RP. 1. Edw. 6. 12.
- Sanctuarie.** 15 A Repeale of so much of the statute of 32. H.8.12. as doth assigne the Towne of Panchester to be a place of Sanctuarie. But in the steade thereof the Citie of Westchester in the Countie of Chester shall be a place of Sanctuarie. RP. 1. Lac. 25.
- Yarne** 16 Who may buy Wrosted Yarne spunne in Poywich, or Poyfolke, and who not. Who Wrosted yerne shall be transported. AB. Yarne 1.2.
- Hempe Flace** 17 Certaine statutes continued untill the last day of the next Parliament. RP. Hempe 1. Flace shall not be watered in any running streame, but on the ground. AB. Hempe. 1.
- Wecche** 18. So much of the statute of 27.H.8.12. as concerneth the breadth of Wecche, repealed: and the residue confirmed. RP. 5. Ed.6.6.
- Cloth** 19 Of what value Wollen Cloth, white, or coloured, carried ouer the sea, may be. AB. Draperie 98.
- Treason by a Lunaticke** 20 If any person shall commit high Treason when he is of perfect memorie, and after accusation, examination, and confession thereof befoze any of the Kings Counsell, shall fall into Lunacie: he shall be inquired of in any Countie, where the King by his Commission shall assigne. And if he be there endited, he shall be there arraigned without his personall ptesence. And if hee bee found guiltie, he shall suffer death, and forfeit, as if he had beene of perfect memory. RP. 1. & 2. Phil. & Ma. 10. Attainder of Treason by the Common Law, shall bee of as great force, as if it were done by Parliament. AB. Treason 14.
- M. Katharine Howard.** 21 Quene Katharin Howard attainted of high treason for her incontinent life, & J. M. C. & J. D. her complices. It shall be lawfull for any of the K. subiects, if themselves perfectly know, or by vehement presumption doe perceiue any will, act, or condition of lightnes of body in her, which shalbe the Quene of this realm, to disclose the same to the K. or some of his counsel. But they shal not openly blow it abroad, or whisper it, untill it be divulged by the K. or his Counsel. If the king or any of his successors shall marrie a woman which was befoze incontinent, if shee conceale the same, it shall be high Treason. And it shall be Murther of Treason in any other knowing it, and not revealing it to the King, or any one of his Counsell befoze the said marriage or within twentie daies after. If the Quene, or wife of the Prince, shall by Writing, Message, Words, Tokens, or otherwise moue any others to haue carnall knowledge with them: or any others shall moue either of them to that end, then in the offendoz it shall be adiudged high Treason. RP. 1. Edw. 6. 12.
- The

The kings assent vnder the great Seale, notified in the Parliament house, shall be of as great force as if he were present. AB. Parliament 10. The R. assent.

31. H. 8. 46. 22 The Office of the Master of the Liveries, annexed to the Kings Liveries. Court of Wardes, And the Master of the Wardes shall be the chiefe Officer thereof, and the Suruey; the second. And there shall be a Clerke of the Liveries. What their authority shall be. In what cases a generall, and in what a speciall Livery shall be sued. AB. Wards 27. Liveries 4. 5. 6. 7. Offices &c. 3. 4. 6.

23 In certaine cases there shall be triall of Treasons, misprision of Treasons, and Murders, in any Countie where the King by Commission will appoint. AB. Treason 9. This Stat. touching the triall of Murder doth continue, but for Treason is repealed by 1. & 2. P. & M. 10. Trial of Treason.

8. R. 2. 2. 13. H. 4. 2. 24 No man shall be Justice of Assise in the Countie where he was borne, or doth dwell. AB. Justice of Assise 5. No Clerke of Assise shall be of counsel with any person in that circuit. AB. Clerke of Assise 1. Just. of Assise Cl. of Assise.

25 The childzen of Thomas Points, William Castelin, and Iohn Dimmocke, borne beyond the Sea, shall bee reputed the Kings naturall Subjects, and enabled to enjoy land by descent, or purchase, to sue, and to bee sued. RR. Free Denizens.

26 A repeale of certaine fraudulent deeds, estates, will, and conneyances, made by Sir Iohn Shelton, of lands in Norfolk and Suffolke, to defeat the King and others of Wardship, Primer seisin, Reliefe, &c. And he adiudged to die seised of such estate in those Lands, as he was before the same estates made. Sir Iohn Shelton.

27 In Corporations none shall haue a negative voice. AB. Corporations 5. Corporations

21. H. 8. 13. 28 The Chancelor of the Duchie of Lancaster, the Chancelor of the Augmentations, the Chancelor of the First fruits and Tenths, the Master of the Wardes, euery of the generall Suruey; the Treasurer of the King Chamber, the Treasurer of the Augmentation, & the Groome of the Kings Stool, may retaine in euery of their house, or attendant vpon his person, one Chapleine, hauing one benefice with cure of soule, which may be absent from his said benefice. AB. Ecclesiasticall &c. 22. 23. Residence.

29 Religious persons which were in houses of Religion that were removed from one Copozation to another, and not dissolved, shall bee in the same case to inherit, purchase, sue, and be sued, as other Religious persons are enabled to be by the Stat. of 1. H. 8. 6. AB. Abillie 3. Religious persons.

30 All Leases, Graunts, and other Writings to bee made by the Bishop of Couentrie and Lichfield for the time being, in writing vnder his Seale, of any his Lands, Offices, Fees, &c. and confirmed by the Deane and Chapter of Lichfield in writing, vnder their Chapter Seale, shall bee good in Law, to bind in succession the successors of the said Bishop. And the Deane and Chapter of Lichfield shall be for ever the entire and sole Chapter of the said Bishopricke of Couentrie and Lichfield: whereof the Prior and Conent of the dissolved Priorie of Couentrie were heretofore the moitie or halfe part. RR. Bishop of Couentrie, &c.

31 The Bishopricke and Diocesse of Chester, and the Bishopricke and Diocesse of Man, in the Isle of Man, and the Archdeaconrie of Richmond, shall be annexed to the Bishopricke of Chester: And all the people in the same Diocesses shall bee vnitid to the Prouince and Archbishopprike of Yorke, and shall bee disennured from the Archbishopprike of Canterburie. RR. Bishop of Chester.

King Henrie the eight.

Whitegate.

32 The Church of White-gate in the Countie of Chester, shall bee a Parish Church of it selfe, and no part of the Parish of Duer. There shall be a Vicar there to be named by the King, &c. which shall haue perpetuall succession: and bee called Vicar of the Parish Church of our blessed Ladye the Virgine, of White-gate: And by that name shall sue and be sued. R.

Kingston vpon Hull.

33 A repeale of the Statute of 27. H.8.3. concerning exactions taken by the Maior of Kingston vpon Hull. But it shall be lawfull for the Maior there, and his Officers, to take of all Fishermen for euery Last of Herring of euery person priuiledged twentie pence, and for euery hundred of Salt fish foure pence, and for euery Last of Sprats eight pence: and of euery person not priuiledged, for euery last of Herring two shillings foure pence, and for euery hundred of Salt fish foure pence, and for euery Last of Sprats eight pence, as they did befoze the said Statute. R.

Kings Linne

34 A Reuocation of two Faieres, or Markets, which the King by his Letters Patents, dated 7. die Martij, Anno 29. of his Reigne, graunted vnto the Maior and Burgeses of Kings Linne, in the Countie of Norfolk.

Gloucester.

35 The Maior of the Citie of Gloucester, and the Deane of the Cathedral Church there, and their successours may conuey water in pipes of Lead, gutters and trenches, from Patestones hill, otherwise called Robinhoods hill: and from time to time repaire them, satisfiying the owners of the ground there, for the digging thereof. R.

Townes decayed.

36 A prouision for the repaire of desolat and void grounds which had been builded in Canterburie, Buckingham, and certaine other great Townes. AB. Townes 1. 2. 3. 4.

The Honour of Amphyll.

37 All Mannors, Parkes, Messuages, Lands, Tenements, Scites of Monasteries, and other Hereditaments of the Kings, lying in the Townes and Parishes of Amphyll, Pilbroke, Fleetwicke, Malden, &c. shall be perpetually annexed to the Mannor of Amphyll, and bee taken as parcell of the same mannor. And the same Mannor, with the other Mannors, Lands, &c. shall be called the Honour of Amphyll. R. Which Honour shal be within the order and suruey of the Court of Augmentations. AL 1. M. 10. touching the order of the Court.

Viz. 50. Townes.

The Honour of Grafton.

38 The Kings Hundreds of Whimberley, and Alsods Hotwe, and his Forrests of Whitlewood, and Sawrey, and his Chales of Pardley, & Whaddon: And all his Mannors, Parkes, Scites of Monasteries, Lands, Tenements, and Hereditaments, lying within the Townes, Hamlets, and Parishes of Grafton, Hartwell, Ashton, Rood, &c. shall be annexed to the Mannor of Grafton. And the same Mannor, and other the premises, shal be called perpetually the Honour Grafton. R. And shal be in the order and suruey of the Court of Augmentation: Sauing so much thereof as is within the Dutchie of Lancaster, or Countie Palatine of Lancaster. AL. 1. M. 10. touching the order of the Court.

Viz. 52. Townes.

The Court of generall Surueyours.

39 The Court of the generall Surueyours of the Kings Lands, shall be a Court of Record, and shall haue a priuite Seale, whereof shall bee Officers, the Kings generall Surueyours, a Treasurer, viz. the Treasurer of the Kings Chamber for the time being, and Atturney, the Passer of the woods, Auditors, Receiours, a Clerke of the Court, an Usher, a Messenger. Their seuerall oathes and duties. All lands onely mentioned in a Schedule signed or to be signed with the Kings signe Manuell, shall be in the order and gouernance of the said Court. AL. 1. M. 10. The forme, effect, and force of all Obligations

7. Ed. 6. 2.

ons made to the king. Who shall haue the kings Bonds and Debts after his death. Debts due to the king by Attainder, Outlawrie, Forfeiture, gift of the partie, or otherwise. The kings suit for his debt shall be preferred. Lands intailed shall be chargeable to the payment of the kings debts. AB. Accomprants &c. 1. &c. The authoritie of the Courts of Exchequer, Wards, and Duchie: And in which of them suits for the kings debts shall be commenced. AB. Courts 1. The kings remedie for the Tenth detained, which was or shall be reserved upon any grant made by Letters Patents of any Lands, &c. AB. Tenthes. 2. Every Audite shall be proclaimed before the the coming of the Auditoz. The Auditoz. Auditozs fees for enrolments. What fees every Receiuoz shall take. AB. Receiver. ditors 1. &c.

Statutes made at the Session of Parliament hol-

den upon prorogation at Westminster 22. die Ianuarii,

Anno 34. H. 8. & An. Dom.

1542.

¶ 1 All Bookes of the Olde and New Testament in English, being of Testament
Tindales false translation, or comprising any matter of Christian Religion, in English,
Articles of the Faith, or holy Scripture, contrarie to the doctrine set forth a-
thence Anno Domini 1540. or to be set forth by the King, shall be abolished. No
37. H. 8. 24. Printer or Booke-seller shall utter any of the foresaid books. No persons shall
play in Enterludes, sing, or rime, contrarie to the said Doctrine. No person
shall retaine any English bookes, or writings, concerning matter against the
holy and blessed Sacrament of the Altar, or for the maintenance of Anabap-
tists, or other Bookes abolished by the Kings Proclamation. There shall be
no Annotations, or Preambles, in Bibles, or New Testaments in Eng-
lish. The Bible shall not be read in English in any Church. No women, or
Artificers, Apprentices, Journeyemen, Servingmen of the degrees of Peomen,
or under, Husbandmen, nor Labourers, shall read the Bible or New Testa-
ment in English. Nothing shall be taught or maintained contrarie to the
Kings Instructions. And if any Spirituall person preach, teach, or main-
taine any thing contrarie to the Kings said Instructions, or Determinati-
ons, made, or to be made, and shall be thereof convicted, he shall for his first of-
fence recant, for his second abiure, and beare a Fagot, and for his third shall be
adjudged an Heretike, and be burned, and lose all his goods and chattels. RP.
1. Edw. 6. 12.

2 Within what time the Kings Collectors of any Fifteene, Subsidie, or The Kings
other Taxe or Loane, shall pay their money received. How farre the heire of Collectoz.
the Kings Collectoz or Receiuoz shall be charged, and where the Executors. Receiver.
AB. Accomprants &c. 23. 24. 25. 26. 27.

3 The measure, Assise and scantling of Coales, Tallow, Fagots, and Fuel.
Billets. RP. 7. Ed. 6. 7.

4 The Lord Chancellor, Lord Treasurer, Lord President, &c. shall take or Bankrupts,
der with Bankrupts bodies lands, and goods, for the payment of their debts.
AL. 13. Eliz. 7. & 1. Jac. 15.

5 An Exposition made of severall branches of the Statute of 32. H. 8. 1. will.
touching devising by Will, or disposing by State executed, lands of severall
tenures. AB. Villes 10. &c. A meane to avoid fraudulent conveyances, made to
defeat Wardships. AB. Wards 24.

King Henrie the eight.

Whitegate.

32 The Church of White-gate in the Countie of Chester, shall bee a Parish Church of it selfe, and no part of the Parish of Duer. There shall be a Vicar there to be named by the King, &c. which shall haue perpetuall succession: and bee called Vicar of the Parish Church of our blessed Ladye the Virgine, of White-gate: And by that name shall sue and be sued. R.

Kingston vpon Hull.

33 A repeale of the Statute of 27. H.8.3. concerning exactions taken by the Maior of Kingston vpon Hull. But it shall be lawfull for the Maior there, and his Officers, to take of all Fishermen for every Last of Herring of every person priuiledged twentie pence, and for every hundred of Salt fish foure pence, and for euery Last of Sprats eight pence: and of euery person not priuiledged, for every last of Herring two shillings foure pence, and for every hundred of Salt fish foure pence, and for every Last of Sprats eight pence, as they did befoze the said Statute. R. 5. Eliz. 5.

Kings Linne

34 A Reuocation of two Faïres, or Parkets, which the King by his Letters Patents, dated 7. die Martij, Anno 29. of his Reigne, graunted vnto the Maior and Burgessees of Kings Linne, in the Countie of Norfolk.

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35 The Maior of the Citie of Gloucester, and the Deane of the Cathedral Church there, and their successors may conuey water in pipes of Lead, gutters and trenches, from Patestones hill, otherwise called Robinhoods hill: and from time to time repaire them, satisfiing the owners of the ground there, for the digging thereof. R.

Townes decayed.

36 A pprouision for the repaire of desolat and void grounds which had been builded in Canterburie, Buckingham, and certaine other great Townes. AB. Townes 1. 2. 3. 4.

The Honour of Amphyll.

37 All Mannors, Parkes, Pessuages, Lands, Tenements, Scites of Monasteries, and other Hereditaments of the Kings, lying in the Townes and Parishes of Amphyll, Milbroke, Fleetwicke, Malden, &c. shall be perpetually annexed to the Mannor of Amphyll, and bee taken as parcell of the same mannor. And the same Mannor, with the other Mannors, Lands, &c. shall be called the Honour of Amphyll. R. Which Honour shall be within the order and suruey of the Court of Augmentations. AL. 1. M. 10. touching the order of the Court.

Viz. 50. Townes.

The Honour of Grafton.

38 The Kings Hundreds of Whimberley, and Alfozds Hotwe, and his Forrests of Whitlewood, and Sawrey, and his Chales of Wardley, & Whadon: And all his Mannors, Parkes, Scites of Monasteries, Lands, Tenements, and Hereditaments, lying within the Townes, Hamlets, and Parishes of Grafton, Hartwell, Ashton, Rood, &c. shall be annexed to the Mannor of Grafton. And the same Mannor, and other the premisses, shall be called perpetually the Honour Grafton. R. And shall be in the order and suruey of the Court of Augmentation: Sauing so much thereof as is within the Dutchie of Lancaster, or Countie Palatine of Lancaster. AL. 1. M. 10. touching the order of the Court.

Viz. 52. Townes

The Court of generall Surueyours.

39 The Court of the generall Surueyours of the Kings Lands, shall be a Court of Recozd, and shall haue a priuie Seale, whereof shall bee Officers, the Kings generall Surueyours, a Treasurer, viz. the Treasurer of the Kings Chamber for the time being, and Attorney, the Master of the woods, Auditors, Receiours, a Clerke of the Court, an Usher, a Messenger. Their seruall oathes and duties. All lands onely mentioned in a Schedule signed or to be signed with the Kings signe Manuell, shall be in the order and gouernance of the said Court. AL. 1. M. 10. The forme, effect, and force of all Obligations

7. Ed. 6. 2.

ons made to the King. Who shall haue the kings Bonds and Debts after his death. Debts due to the king by Attainder, Outlawrie, Forfeiture, gift of the parties, or otherwise. The kings suit for his debt shall be preferred. Lands intailed shall be chargeable to the payment of the kings debts. AB. Accomprants &c. 1. &c. The authoritie of the Courts of Exchequer, Wards, and Duchie: And in which of them suits for the kings debts shall be commenced. AB. Courts 1. The kings remedie for the Tenth detained, which was or shall be reserved upon any grant made by Letters Patents of any Lands, &c. AB. Tenths. 2. Every Audite shall be proclaimed before the the coming of the Auditors. The Auditors fees for enrolments. What fees every Receivor shall take. AB. Receivers. 1. &c.

Statutes made at the Session of Parliament holden upon prerogation at Westminster 22. die Ianuarii,

Anno 34. H. 8. & An. Dom. 1542.

31. H. 8. 24. ¶ 1 All Bookes of the Olde and New Testament in English, being of Tyndales false translation, or comprising any matter of Christian Religion, Articles of the Faith, or holy Scripture, contrarie to the doctrine set forth thence Anno Domini 1540. or to be set forth by the King, shall be abolished. No Printer or Booke-seller shall utter any of the foresaid books. No persons shall play in Enterludes, sing, or rime, contrarie to the said Doctrine. No person shall retaine any English bookes, or writings, concerning matter against the holy and blessed Sacrament of the Altar, or for the maintenance of Anabaptists, or other Bookes abolished by the Kings Proclamation. There shall be no Annotations, or Preambles, in Bibles, or New Testaments in English. The Bible shall not be read in English in any Church. No women, or Artificers, Apprentices, Journeyemen, Servingmen of the degrees of Prebends, or Under, Husbandmen, nor Labourers, shall read the Bible or New Testament in English. Nothing shall be taught or maintained contrarie to the Kings Instructions. And if any Spirituall person preach, teach, or maintain any thing contrarie to the Kings said Instructions, or Determinations, made, or to be made, and shall be thereof convicted, he shall for his first offence recant, for his second abjure, and beare a fagot, and for his third shall be adjudged an Heretike, and be burned, and lose all his goods and chattels. EP. 1. Edw. 6. 12.

3. Eliz. 4. 24. ¶ 2 Within what time the Kings Collectors of any Fifteene, Subsidie, or other Taxe or Loane, shall pay their money received. How farre the heire of the Kings Collector or Receivor shall be charged, and where the Executors. AB. Accomprants &c. 23. 24. 25. 26. 27.

3 The measure, Assise and scantling of Coales, Tallow, Fagots, and Fuel. Willefs. EP. 7. Ed. 6. 7.

4 The Lord Chancellor, Lord Treasurer, Lord President, &c. shall take or Bankrupts der with Bankrupts bodies lands, and goods, for the payment of their debts. AL. 1. 3. Eliz. 7. & 1. Jac. 1. 5.

5 An Exposition made of severall branches of the Statute of 32. H. 8. 1. touching devising by Will, or disposing by State executed, lands of severall tennures. AB. Willefs 10. &c. A meane to avoid fraudulent conneyances, made to defeat Wardships. AB. Wards 24.

King Henrie the eight.

Pinnes.

6 No person shall put to sale any Pinnes, but onely such as shall be double headed, and haue the heads souldered fast to the Shank of the Pinne, well smothered, the Shank well shauen, the point well and round filled, canted, and sharpened, *RP.* 37. H. 8. 13.

Wines.

7 The Lords authorized by the Statute of 28. H. 8. 14. to set the prices of Wines in grosse, may mitigate and inhaunce the prices of Wines to be sold by retaile, as time and occasion shall require. *RP.*

Surgeons.

8 It shalbe lawfull to any person (in any parts of the kings dominions) to helpe outward sores, notwithstanding the statute of 3. H. 8. 11. *AB.* Surgeons 2.

Hauens.

9 No rubbish shall be cast into any Haven, Rode, Channell, or River. *AB.* Hauens 2. If any Master or owner of any Shippe or Vessel, doe vnlod any Balast or Kobell in King-rode, or in any part of the Haven neere vnto Bristoll, but vpon the land, he shall forfeit foure pounds to the King and Infeoffmer. *RP.*

Couerlets.

10 Of what Assise Couerlets made in Poze shalbe, and where they shalbe sold. *AB.* Couerlets 1. & c.

Clothes.

11 The weight, length, breadth, and goodnesse of Welch Frayzes, made in the Counties of Carmarthen, Cardigan, and Pembroke. *RP.* 5. Ed. 6. 6. 8. Eliz. 12.

Paving.

12 White Crosse Street, and certaine other streets and lanes in London and Westminster, viz. xviij. shall be paved by the owners or fermors thereof, and so for ever continued: which streets and lanes euery person shal pauer vnto the midst of them, so farre in length and breadth as his owne ground doth goe, vpon paine of forfeiture of twelue pence for euery yard square unpaued. *RP.*

Chester.

13 The Countie Palatine of Chester shall haue two Knights for the Shire, and two Burgeses for the Citie of Chester, at euery Parliament. *AB.* Chester 2. No Writ of Course in the nature of a Protection, shall be granted in the Countie Palatine of Chester, without the Kings warrant. *AB.* Protection 5.

Conuictes.

14 The names of all persons outlawed, attainted, and conuict of felonie, shall be certified into the Kings Bench. *AB.* Certificat & c. 1. & c.

Bishop of Bath &c.

15 All Gifts, Grants, and Writings, to be made by the Bishop of Bath and Welles, vnder his Seale, of any his Lands, Offices, Fees, &c. and confirmed by the Deane and Chapter of Welles in writing vnder their Chapter Seale, shall be good in law to bind the successors of the said Bishop. And the Deane and Chapter of Welles shall be for ever the entire and sole Chapter of the said Bishopricke of Bath and Welles: wherof the Prior and Convent of the dissolved monasterie of S. Peter and Paul of Bath, were heretofore the halfe part. *RP.*

Sherifes.

16 Sherifes vpon their accounts made in the Exchequer, shall bee discharged of such summes of money which they will testifie by their oathes they cannot leuie. And they shall haue allowances for the diet of the Iustices of Assise, Clerke of Assise, and other their reasonable expences. *Exp.* 1. Ed. 6. 4.

Bishops Tenthes.

17 The Bishops new erected (by the King) of Chester, Gloucester, Peterborough, Bristol, and Oxford, shall pay their Tenthes limited by the statute of 26. H. 8. 3 in the Court of First fruits. And they or their successors shall not bee charged with a double Tenth, though the same be reserved by their Letters Patents. *AL.* 1. Mar. 10. touching the place of payment. 1. Eliz. 4.

18 A Confirmation of all Liberties granted by the king or any of his Progenitors to the Mayor and Aldermen of Canterbury. No foine not being free of the said Citie, shall buy or sell any merchandise (saying victuall) to any other foine: nor shall keepe any shop, nor vse any myserie within the said City, or the Liberties thereof, without the licence of the Mayor and Aldermen or the moze part of them, in writing vnder their Seale, vpon paine to forfeit by s. viij. s. for euery offence, to the said Mayor and Aldermen, to be recovered by action, or distresse. R

19 Pensions, Portions, Synodals, Pories, &c. due out of religious lands dissolved, to Bishops, Archdeacons, &c. shall be paid by the occupiers of the same lands, as they were before. AB. Monasteries 33. &c. Pensions out of Abbey lands.

20 Common Recoveries of lands in taile, whereof the king is in reuerfion, shall be void. AB. Recoveries 2.3.4. Recoveries

7. Ed. 6. 3.
4. & 5. P. &
M. 1.
18. Eliz. 2.
43. Eliz. 1.

21 A Confirmation of all Letters patents and other writings made by the king to any other person, or to be made within 7. yeeres after: and of all assurances made or to be made by any other to the king within the said seven yerres of any lands, &c. AB. Patents 17. The king granting an office with a fee, if the Office be decayed, the fee shall cease. EP.

22 The force of Recoveries, Deeds enrolled, and Releases acknowledged by women covert, in certaine corporat Townes. AB. Women. 5. Women;

32. H. 8. 28.

23 Judgement may bee given against any person, for an offence committed, contrarie to the Statute of 31. H. 8. 8. ordained for the due execution of Proclamations by the Kings Prive Councell: so that there bee nine of the same Prive Councell at the least, then present. EP. 1. Edward. 6. 12. Proclamations.

24 Iohn Hynde the Kings Serieant at the Law, shall haue to him, his heires and assignes for ever, the Pannoz of Burlewes, otherwise called the Shire Pannoz, lying in Paddingley, in the countie of Cambridge, employed to the payment of the wages of the Knights of the Parliament of the same Countie, paying therfore at Michaelmas yeerely tenne pounds for the wages of the Knights of the Parliament of Cambridge Shire. The two Knights of the Parliament, and the Sherife of Cambridge Shire for the time being, shall be incorporated by the name of wardens of the fees and wages of the knights of the Shire of Cambridge. And the said Knights or the suruivour of them, and the Sherife, if they both die, shall haue the said Rent of tenne pounds to their owne vse, untill other Knights of the Parliament bee chosen. And the said Wardens may recover the said Rent, being vnpaid, by Action of Debt, or distresse. And if the Rent bee vn timeres, then the Wardens may enter vpon the Land, and retaine it, untill they be satisfied of the Rent, and the Arrerages. And if the said Pannoz, or any part thereof, shall come into the Kings hands by Wardship, Escheat, Primer seisin, or otherwise: Then the Kings Receiuors, Baylifes, or &c. shall pay the Wardens the said Rent. The inhabitants of the countie of Cambridge, shall be discharged of the wages of the Knights of the Parliament. R. Cambridge Shire manor

25 It shall be lawfull to the Mayor, Burgesles, and inhabitants of Poole in the Countie of Dorset, and to their successors, to erect a Wind-mill in the h. wast ground and Common in the Towne of Baister: and a Conduit head in a place called Totnam, and to haue fiftene foot square for the Conduit head: and to digge and draw in, by, through, and vpon all places meet and convenient into and from the same &c. yielding yeerely to the king, his heires &c. one Pepper cojne. R.

King Henrie the eight.

Wales.

23 The Principallitie of Wales divided into twelue Shires, & into Hundreds. A President and Councell established there. Sessions, Courts, Justices, Sherifes, Escheatores, Prothonaries, Coroners, and other Officers appointed there. Originall and iudiciall Seales ordained there. Certaine Townes annexed to some Counties in Wales, and to some in England. AB. Wales 2. &c. 27.H.8.26

Statutes made at the Session of Parliament holden upon prorogation at Westminster 14. die Iannuarii, Anno 35. H. 8. & Anno Domini 1543.

The Crowne entailed.

¶ 1 If the King and Prince Edward his sonne shall die without heire of either of their bodies lawfully begotten, then the Imperiall Crowne of this Realme shall be to the Ladie Marie, the Kings eldest daughter, & to the heires of her bodie lawfully begotten, And for default of such issue, to the Lady Elizabeth, the Kings second daughter, and the heires of her bodie lawfully begotten, with such conditions as the King by his Letters Patents vnder the great Seale, or by his last Will in writing, shall declare and limit to their Estates (if he shall declare any.) And because, if the said Prince Edward, Ladie Marie, and Ladie Elizabeth, shall die without such issue of their bodies, then after the Kings death this Realme shall be destitute of a lawfull Gouvernour, to order, rule, and gouerne the same: Therefore for lacke of such issue of Prince Edward, Ladie Marie, and Ladie Elizabeth, the Crowne shall remaine, and be to such person and persons, and for such Estate or Estates as the king by his Letters Patents vnder the great Seale, or by his last Will in writing, signed with his hand, shall giue, dispose, appoint, and limit the same. All the Kings subiects and retainers shall at the Kings pleasure take an oath for the renouncing of the authoritie of the Bishop of Rome, for the maintenance of the Kings Supremacie, and for the defence of the Title and Succession of the Crowne limited by this Statute, and the Statute of 28.H.8.7. And if any person to whom the same oath shall be tendered, shall refuse to take the same, or shall doe any thing for the interruption of this Act, or to the perill, slander, or dishonour of any of the issues and heires of the King, being limited by this Act to inherit: or of any person or persons to whom the Crowne shall bee limited by the Kings Letters Patents, or last Will in writing, whereby such persons might be destroyed in bodie or Title to the inheritance of the Crowne: then every such offender shall be adiudged a Traitor. RP. touching the oath 1. & 2. P. & M. 8. 25.H.8.22, 27.H.8.5, 1.Eliz.3.

Treasons.

2 Where and before whom Treasons committed out of the Realme shall be tried. AB. Treasons 10. 26.H.8.13. 5.Ed.6.11.

The Kings Title.

3 The Kings Title shall be: Henrie the eight, by the grace of God, King of England, France, and Ireland, Defendour of the Faith, and of the Church of England, and also of Ireland, in earth the Supream Head. Which Title shall be vntied and annexed for ever to the Imperiall Crowne of this Realme of England. And it shall be high Treason to imagine or attempt to depriue the King or any of his heires, or assignes, of any of their said Titles or Titles. RP. 1. & 2. P. & M. 8.

Townes.

4 A remedie for the repaire of decayed houses in Shrewsburie, Chester, Ludlow, Pembroke, and other Townes in England and Wales. AB. Townes 6.

5 No person shall be put to his triall vpon an accusation concerning any of the offences comprised in the Statute of 31. H. 8. 14. but onely vpon such as shall be made by the oath of xij. men, before Commissioners authorized. And the presentment shall be made within one yeere after the offence committed. No person shall be arrested or committed to ward for any such offence before he be indicted. If a Preacher or a Reader, shall speake any thing in his Sermon, or Reading, contrarie to any matter contained in the vij. Articles, he shall be accused, or indicted thereof within fourtie daies, or else shall bee discharged of the said offence. 1. Ed. 6. 12.

27. Eliz. 6.
2. Ed. 6. 32.
14. Eliz. 9.

6 The forme of a Venire facias, where each Juror must dispend xl. s. of free hold, and where not. How many Hundredes be requisite in a Jurie. What issues shall be returned vpon Jurors. Tales de Circumstantibus grauntable at the plaintifes request. AB. Jurors, 19. 20. 21. 23.

7 A Repeale of the Statute of 25. H. 8. 4. touching the forestfalling and regrating of fish.

23. H. 8. 4.

8 Curie Artificer of the Mysterie of Colwepers may take for every Beere barrell by him sold r. d. and for euerie Ware kilderkin vij. s. Whosoener shall carrie Beere beyond the Sea, shall find sureties to the Customers of that Port, to bring in Claphood met to make so much vessel as he shall carrie forth. No man in London, or within two miles compasse, shall cut or diminish any barrells, kilderkins, or firrings, but for his own prouision. No man shall transport Beere in a greater vessel than a barrell, vpon paine to forfeit vij. s. viij. s. for euerie vessel. EX.

9 Katherineines Parsh, otherwise called Wapping Parsh, in the Countie of Middlesex, shall be diuided by certaine persons assigned, or by any six of them. And Richard Hill of London Percer (the assignee of Cornelis Wanderdelfe, who at his own charge inned, and recovered the same being drowned) shall haue the one moitie thereof to him and to his heires.

10 It shall be lawfull to the Maior and Comminaltie of London, and to their successors, assignees, and seruants, at al times to enter into the grounds of the king, and euerie other person, where they shall know any springes to bee found (so that it be not into their houses, gardens, orchards, or places inclosed with stone, brick, or mud wall) and there to dig pits, trenches, and ditches, and to erect heads, lay pipes, and make vaults, and to doe euerie such thing as shall be necessarie onely for the conueyance of water to the Citie of London, and the suburbs thereof: and from time to time to view, amend, & translate them, paying so much to the owners, or possessors of the same grounds, as shall be taxed by three or foure such indifferent persons as shall be assigned by the Lord Chancellor, by the Kings Commission. R.

27. H. 8. 11.

11 The wages of Knights and Burgeses for the Parliament, in the shire of Wales, and Countie of Ponnmouth. By whom Burgeses there shall be chosen, and who shall rate their wages. AB. Wales 118. 119. 120. 121.

12 The Lords and Commons doe remit vnto the King all such sommes of money, as he hath borrowed of them, or any other, by way of prest, or loane, by his priuite Seales, sithence the first day of Januarie Anno 33. of his raigne. And if the King haue paid to any person any summe of money which he borrowed, by sale of land, or otherwise, the same person, his heires executors, or administrators, shall repay the same againe to the king. And if any person hath sold his priuite Seale to another, the seller shall repay the money to the buyer thereof. EX.

13 The Kings Manours of Graunges, Colinghams, Wottes, Fennes, and

The six Articles.

Jurors.

Barrells.

Beere.

Wapping Parsh.

Conduits for London.

Wales: Parliament.

Loane remitted.

Walsingham Manors.

King Henrie the eight.

and Parishes in the Countie of Dorset, which sometime were parcels of the possessions of the late Abbey or Priorie of Walsingham, shall and may bee granted by copie of Court Roll in fee simple, for terme of life, or lines, by the Stewards of the said Manors, their Understewards or Deputies, for such rents, services, fines, harriots, and Customs, as in the said Copies shall be specified. Which Copies shall be good against the king, his heires, successours, and assignes. R.

**Tenure
Tenth**

14 The king may reserve upon those Abbey lands which were dissolved by the Statute of 27. H. 8. 27. not exceeding the yearely value of xl. s. a tenure, by knights service in Capite, or else a tenure in Socage, or free Burgage at his pleasure, with the yearely rent of the tenth part of the said lands. AB. Tenure 6. 37. H. 8. 20. 7. Ed. 6. 3.

**Paving of
Cambridge.**

15 All persons which haue any houses, lands, gardens, or other grounds, in the Towne of Cambridge, adioyning upon euery high way, street, or lane, in his owne right, or the right of his wife, shall cause the same to be paved with paving stone, vnto the middle of the same waies, & in length as their grounds doe extend, upon paine to forfeit vs. s. for euery yard square not sufficiently paved. R.

**Canons exam-
ined.**

16 The king shall haue authoritie during his life, to name xxiij. persons. viz. xviij. Spirituall, and v. Temporal, to examine all Cannons, Constitutions, and Ordinances prouinciall, and Synodall, and to establish all such Lawes Ecclesiasticall as shall be thought by the king and them convenient to be vsed in all Spirituall Courts. EP. 25. H. 8. 19. 27. H. 8. 15. 3. Ed. 6. 11.

Woods.

17 How many Standilles, and of what bignesse, shall be left standing in euery acre of wood, at the felling thereof. How many yerres the same wood shall be preserved from cattell. How the woods shall be vsed at the felling thereof, wherein others haue common: And how long they shall be kept seuerall. AB. Woods 1. &c. 13. Eliz. 25.

Pardon.

18 The kings general and free Pardon of all treasons, felonies, robberies, &c. confirmed by Parliament, Except &c.

Statutes made at the Parliament begun and holden at Westminster Anno 37. H. 8. & An. Dom. 1545.

**Custos Ro-
tularum.
Cl. of the
peace.
Hounds
heath.**

¶ 1 The Custos Rotularum shall be appointed in euery Countie by bill assigned with the Kings owne hand. AL. 3. Ed. 6. 1 The Custos Rotularum shall in euery shire appoint the Clerke of the peace, who may occupie the same office by deputie. AB. Clerke of the peace 1.

2 Houndslothe heath in the Countie of Middlesex, which doth containe foure thousand two hundred, fourescore & thirteene acres, and one rood of ground, extendeth into seuerall Parishes. So much thereof as is the kings inheritance, and is meet for tillage, pasture, medow, or other seuerall ground, shall be of the nature and condition of Copihold land. Or the same may bee letten by the Steward of the Manor at will, or for xij. yeares, which lessee shall or may improve it. R.

**Huntington
lane.**

3 Huntington lane neere the Citie of Chester, being in length two miles and a halfe, shall be from time to time repaired by one that shall dwell in the said lane, and shall haue pasture for sixe Rine or beasts in the high way from Bothyl to Butterbatch bridge. Sir William Stanley, and Sir Hugh Calneley, and their heires males being of full age, and in default of them the Mayor and

and Alderman of Chester shall appoint the same partie, and remoue him, if he be negligent in repairing of any part of the said way. R.

1.Ed.6.14.

4 All Colledges, free Chappels, Chantries, Hospitals, Fraternities, Brothers, Chuntries, therhoods, and stipendarie Priests, made to haue continuance for ever. And al their lands, tenements, and hereditaments, shall bee in the disposition of the king during his life. AB. Monasteries 14.

11.H.7.21.

23.H.8.3.

5 Who bee sufficient to passe upon an Attaint brought in London, and in Attaint. what place the same Attaint shall be tried. AB. Attaint 14.15.

6 It shall be felonie maliciously, willingly, and secretly, to burne, or cause to be burned, any frame of timber of another persons, prepared for the making of a house. R. 1. Ed. 6. 12. If any person shall cut, or cause to be cut out the head or damme of any poole pond, stew, &c. he shall forfeit to the party grieved treble damages, and to the king x. l. for a fine. AL. 5. Eliz. 2. 1. The penaltie for the cutting of a pipe of a conduit: Or for the burning of a cart or waine loaden with coales, or other goods, or of any heape of wood prepared for coales, billets, or tallwood: Or for the cutting out of the tongue of another mans beast; or to cut off the eares of any of the kings subjects: Or to barke fruit trees. AB. Burning of frames. Burning. Tongue Eares. Barke.

1. Conduit 1. Eares 1. Tame beasts 1. Barke 1.

7 A repeale of so much of the Stat. of 33. H. 8. 10. as toucheth the keeping of six weekes Sessions. And all the offences in the same Stat. mentioned shall be inquired of, punished, and reformed at the Quarter Sessions. AB. Just. of Peace 20. 6. weekes Sessions.

8 The words Cum baculis, culcellis, arcibus, & sagittis, shall not of necessity be put in an Indictment. AB. Indictments 1. No person shall haue his Clergie which is found guiltie for the stealing of any horse, or which being thereof indicted & arraigned, doth stand mute of malice, or froward mind, or challenge peremptorie above the number of xx. or will not answer directly to the same Indictment and felonie. AB. Clergie. 13. Indictment Clergie.

1.Ed.6.12.

3.H.7.6.

11.H.7.8.

23.Eliz.8.

39.Eliz.18.

9 A repeale of all former Statutes made against vsurie, shifts, corrupt bargaines, and chencances. The seuerall penalties for taking of x. l. more or lesse for the forbearance of an C. l. for one yeare: And for selling of wares, and buying the same within three monethes. AB. Vsurie 1. &c. Usurie.

10 If any person shall denie or make any writing, comprizing that another hath spoken or committed high Treason, and the said writing shall call or leaue in an open place, wherby it may be found, & shall not subscribe his name to the same, and within xij. daies after personally appeare before the king or his Councill, and affirme the contents of the same to be true, then he shall be adjudged a felon. R. Ed. 6. 12. Slandrous bills.

11 Every person which shall be owner of any parcell of Combe marshes in the Parish of East Greenwich in the Countie of Kent, shall be contributozie towards the reparation of the said marshes from time to time, after the rate of the acre, as other owners be charged. And when any tare shall be made, it shall be lawfull to the expeditors, and collectors or one of them, to distraine the goods of such person which shall refuse to pay after that rate, and the same distress to retaine, and vse, according to the lawes of Romney marsh. R. Combe marshes.

27.H.8.21.

12 Every person in London denying to pay his tithes, oblations, or other duties, contrarie to a decree made by the Archbishop of Canterburie, and other arbitrators, shall be committed to prison by the Lord Mayor of London, and in his default by the Lord Chancellor, untill he hath agreed with the Curat &c. AB. Tithes 19. Tithes in London.

13 A repeale of the Stat. of 34. H. 8. 6. ordained for the making of Pinnes. Pinnes.

14 There

King Henrie the eight.

Scarborough
Peere.

14 There shalbe a Coꝛpozation, oꝛ bodie Politike, of two persons to bee called foꝛ euer the Paſſers, oꝛ Keepers of the Peere oꝛ Key of Scarborough, in the County of Yoꝛke, who ſhal haue authozitie to gouerne the woꝛks of the ſame Key oꝛ Peere, to hire woꝛkemen, buy ſtuſſe, and make pꝛouiſion foꝛ ſuerie thing thereunto belonging which ſhall receiue yearely of euery owneꝛ of any meſſuages, lands, tenements and hereditaments oꝛ rents within the liberties of Scarborough, the fiſt part of the yeerely value of the ſame, towaꝛds the reparation of the ſaid Peere. Foꝛ the which the ſaid Paſſers oꝛ Keepers may diſtraine. R.

Wool.

15 No perſon, other then Merchants of the Staple, and their Factors, and ſeruants, to be ſhipped onely to the Staple, and other then ſuch as ſhall conuert the ſame into yarne, hats, girdles, oꝛ cloth (and not to ſell againe) ſhal buy, oꝛ take pꝛomiſe of bargain, of any wools, of the growing of the Shires of Kent &c. vpon paine of foꝛfeiture of the double value thereof: But euerie perſon may bzing his owne wool to the open Market, and ſell it. No perſon ſhall buy oꝛ bargain foꝛ any wool, foꝛ any Merchant ſtranger, vpon paine of foꝛfeiture thereof. R.

4. Ed. 4. 4.
4. H. 7. 11.
22. H. 8. 1.
27. Shires.
5. Ed. 6. 7.

Dutche
lands.

16 The Manor of Ripon in the County of Yoꝛke, late parcell of the poſſeſſions of the Archbiſhop of Yoꝛke & by him aſſured to the king & his heires, and certaine other lands of the Kings, ſhalbe annexed to the kings Duchie of Lancaſter. And all gifts, grants, leaſes, letters patents, and other writings to be made by the king, his heires oꝛ ſucceſſoꝛs of the ſame, ſhalbe vnder the ſeale of the dutchie of Lancaſter, and not vnder any other ſeale, and with the like luerie of leiſin, attournments, ceremonies, oꝛders and circumſtances, as oꝛther the auncient poſſeſſions of the ſaid Duchie haue vſed, and ought to bee made. Seuerall aſſurances made by the Archbiſhops of Yoꝛke and Canterburie, and the Biſhop of London, of diuers manors, lands, & tenements, to the King, his heires, &c. confirmed. The Manor of Crondon, and Crondon Parke in Eſſex, aſſured to Sir William Peter and his heires, which befoꝛe was parcell of the poſſeſſions of the Biſhop of London. R.

2. & 3. P. &
M. 20.

Biſhops
lands.

Crondon.

Doctors of
Law.

17 Doctors of the Ciuill Lawe, if they bee lay, married oꝛ vnmarried, may exerciſe all manner of Eccleſiaſticall Iuriſdiction. AB. Eccleſiaſticall &c. 44.

1. Eliz. 1.

4. Honours.

18 The king during his life, may by his ioynt oꝛ ſeueral letters patents, vnder the great Seale, and proclamation, make the Citie of Weſtmiſter one Honour, the Towne of Kingſton vpon Hull another, his Caſtle of Donington in the Countie of Berk a thirde, and S. Oſith in the Countie of Eſſex a fourth Honour. And alſo ſo many other Honours as he will, and annex to them ſuch lands of his, as he wil. The Freeholders and Copiholders ſhal hold their lands as they did befoꝛe. R.

Fines.

19 Fines leuied and proclaimed befoꝛe the Juſtices of Aſſiſe at Lancaſter, ſhal bee of like foꝛce as Fines acknowledged befoꝛe the Juſtices of the Common place. AB. Fines 12.

Tenures.

20 An explanation of the Statute of 35. H. 8. 14. touching reſeruing of Tenures vpon lands granted by the kings Letters patents. The king during ſiue yeeres may reſerue certaine other Tenures, and not in Capite, vpon lands by him granted in Fee ſimple, not exceeding the yearely value of xi. s. AL. 7. Ed. 6. 3.

Union.

21 There may be an vniõ of two Churches in one, where they be not above a mile diſtant, and one of them not above the yearely value of vij. l. AB. Eccleſiaſticall &c. 31.

1. Eliz. 4.

2.Ed.6.32.

22 The Statute of 35.H.8.6. touching a Tales to be granted de Circum-
stancibus, where a full Jurie doth not appeare continued untill the end of the
next Parliament. Tales.

23 Certaine Statutes made in the raigne of King Henrie the eight, con-
tinued untill the last day of the next Parliament &c. The Lords appointed by
the Statute of 28. H. 8.14. to set the pices of wines, shall yearely set the
same pices betweene the xx. day of nonember and the last day of December.
In what case Maiors or other head Officers may sell other mens wines. AB.
Wines 1.4.

24 A confirmation of a Subsidie granted to the King by the Clergie, of vij. Subsidie:
s. in the pound, to be paid in two yeeres. &c.

Statutes

King Edward the sixth.

Statutes made at Westminster 4. die Nouembris,

Anno 1. Edw. 6. & Anno Dom.

1547.

- Sacraments.** ¹ The penaltie for vnreuerent speaking against the Sacrament of the bodie and blood of Christ, or against the receiuing thereof vnder both kinds. AB. Sacraments 1. &c. ^{1. Eliz. 1. 1. Ma. 2.}
- Bishops.** ² From hencefoorth no Conge deslier shall bee graunted, nor any election shall be made of an Archbishop or Bishop, by the Deane and Chapter: But when any Archbishopricke or Bishopricke is void, the King by his Letters Patents may conferre the same to any person whom he shall thinke meet. The which collation so made and deliuered to the person to whom the King shall conferre the same, or to his Proctor or Attorney, shall stand to the same effect, as though a Conge deslier had bene given, the election duely made and confirmed. All Summons and Citations, and other Prosesses Ecclesiastical, shall be made in the name, and with the stile of the King, as in Writs at the Common law: And the Teste thereof shall be in the name of the Archbishop, Bishop, &c. All persons that haue the exercise of Ecclesiastical iurisdiction, shall haue in their Seales of Office the Kings Armes, with certaine characters vnder them, for the knowledge of the Diocesse. But the Archbishop of Canturburie shall vse his owne Seale, and his owne name in all faculties and dispensations. EP. 1. M. 2. ^{5. Ed. 6. 1.}
- Vagabonds.** ³ A repeale of all stat. heretofore made for the punishment of Vagabonds, and of all articles compizised in the same. If any person shall bzing to two Just. of peace any runnagate seruant, or any other which liueth idly, and loyteringly, by the space of thre daies, the said Justices shall cause the said idle and loitering seruant or vagabond, to be marked with a hot yron on the breast with the marke V. and adiudge him to be slaue to the same person that brought or presented him, to haue, to him, his executors or assignes, for two yeares after which shall take the said slaue, and giue him bread, water, or small drinke, and refuse meat, and cause him to worke by beating, chaining or otherwise, in such worke and labour as he shall put him vnto, be it neuer so vile. And if such slaue absent himselfe from his said Master within the said terme of two yeares, by the space of foureteene daies, then he shall be adiudged by two Justices of peace to be marked on the forehead, or the ball of the cheeke with a hot yron with the signe of an S. and further shall be adiudged to be slaue to his said Master for euer. And if the said slaue shall runne away the second time, he shall be adiudged a felon. No Clerke conuict shall make his purgation, but shall bee a slaue for one yeare to him who will become bound with two sureties in xx. l. to the Ordinarie, to the Kings vse, to take him into seruice. And he shall be vsed in all respects as is aforesaid, like to a vagabond. A Clerke attainted or conuict, which by the law cannot make his purgation, may by the Ordinarie bee deliuered to any man who will become bound with two sufficient sureties, to keepe him as his slaue five yeares. And then he shall be vsed in all respects as is aforesaid for a vagabond, sauing for his burning in the breast. It shall be lawfull to euery person to whom any shall be adiudged a slaue, to put a ring of yron about his necke, arme, or legge. A Justice of peace and Constable may bind a beggers manchild prentice to the age of xiiij. yeares, and a woman childe to the age of xx. yeares, to any that will require them. And if the said child runne away, then his master may retaine and vse him for the terme aforesaid, as his slaue. All impotent, maimed, and aged persons, who cannot be taken for vagabonds, shall ^{22. H. 8. 12. 27. H. 8. 25.}
- Slau.**
- Clerke conuict.**
- Beggers children.**

shall have convenient houses provided for them, and otherwise be relieved in the Cities, Boroughes, or Townes where they were borne, or were most conversant by the space of thre yeares, by the willing and charitable disposition of the Parishoners. And none other shalbe suffered to begge there. *RP.* 3. & 4. Ed. 6. 16.

9.H.3.31.
1.Ed.3.13. 4 There shalbe no Tenure in Capite of the King, by reason of lands coming to his hands by Attainder, Dissolution, Surrender &c. Conclusion of Tenure by matter of Record. *AB.* Tenure 1.2.3.

11.H.7.13.
12.H.8.7. 5 No person shall transport, sell, or convey any Horse, Gelding, or Mare in, to Scotland, or beyond the Sea, without the King's licence. *AB.* Horse 14. &c. But every of the King's subjects may transport horses for their owne iourneys, and not to the intent to sell them. *RP.* 5. Eliz. 19.

9.Ed.6.7.
37.H.8.15.
38.H.8.16. 6 Every person dwelling in Dorsetshire or Dorchester, may buy, and sell a gaine Dorsetshire wolle in open Market. *AB.* Woll 4. Who may buy Wollsted Payne in Dorsetshire, or Dorchester. No Wollsted Parne shalbe transported. *AB.* Yarne 1.2.

11.H.6.6. 7 The death of the King shall not discontinue any suit. The death, Peter Commission, or Association of Justices, shall make no discontinuance of certaine actions. The plaintifes preferment to a name of dignitie, shall not abate his suit. Peter Justices may give iudgment of a prisoner found guiltie. No suit before Justices shalbe discontinued by a new commission. *AB.* Discontinuance 1. &c.

7.Ed.6.3. 8 A Confirmation of all letters Patents, Indentures, and other writings made by the king sithence 28. die Januarij last past, or hereafter to be made during the kings life, of any honours, manors, lands, &c. notwithstanding any misnaming, misrecitall, &c. *AB.* Patents 21.

1.M.15. 9 It shalbe lawfull to the Mayor and Recorder of the Citie of York, and to the Ordinarie, or his Deputie, and six Justices of peace in the said Citie to unite and knit together so many of the Parishes in York into a fewer number, as to them shalbe thought convenient: So the cleere yerely balne exceed not twenty pounds. And so to proceed through the said Citie, and the suburbs thereof. And it shalbe lawfull to the said Mayor &c. to pull downe the Churches which they shall thinke superfluous there, and to bestow the same towards the repaire and enlargement of other Churches, Bridges, and the reliefe of the poore: and also to appoint the Patronage and Presentment, of the Churches so united, to the Patrons by turne. *RP.*

9.Ed.6.26. 10 How Exigents and Proclamations shalbe awarded out of the kings Bench, and common Place, against any person dwelling in any of the twelve Counties in Wales, or in any of the Counties Palatine of Chester, or of the Citie of Chester. The Sherifes of the foresaid Counties shall have Deputies in the said Courts. Proses against persons outlawed in any of the said Counties in Wales. *RP.* Exigent 6.7.8.9.

11 A Repeale of the Statute of 28.H.8.17. which gave authoritie to the King after his age of 24. yerres, to Repeale by his letters patents all former Statuts made during his minority. An authoritie given to the said King Edward the first, and to every heire of the late King Henry the 8. and to every person to whom the Crowne shall descend, remaine, or come, by his appointment, to Repeale all Statutes made before his full age of 24. yeares, saving this Statute, and all pardons granted by Parliament. So that the said Repeale containe all such Acts as shalbe Repealed, and three severall dayes he openly Proclaimed in the Chancery in Terme time &c. and once in every Countie at the Assises. *RP.*

Repealing of Statutes.

Exigents.
Wales,
Chester.

Transporting
of Horses.

Woll
Parne.

Discontinua-
ance of suits.

Confirmation

Union in
York.

Repealing of
Statutes.

King Edward the sixth.

Statutes made at Westminster 4. die Nouembris,

Anno 1. Edw. 6. & Anno Dom.

1547.

- Sacraments.** ¹ **T**he penaltie for vnreuerent speaking against the Sacrament of the bodie and blood of Christ, or against the receiuing thereof vnder both kinds. AB. Sacraments 1. &c. ^{1. Eliz. 1. 1. Ma. 2.}
- Bishops.** ² From hencefoorth no Conge deslier shall bee graunted, nor any election shall be made of an Archbishop or Bishop, by the Deane and Chapter: But when any Archbishopricke or Bishopricke is void, the King by his Letters Patents may conferre the same to any person whom he shall thinke meet. The which collation so made and deliuered to the person to whom the King shall conferre the same, or to his Proctor or Attorney, shall stand to the same effect, as though a Conge deslier had bene giuen, the election duly made and confirmed. All Summons and Citations, and other Processe Ecclesiasticall, shall be made in the name, and with the stile of the King, as in Writs at the Common law: And the Teste thereof shall be in the name of the Archbishop, Bishop, &c. All persons that haue the exercise of Ecclesiasticall iurisdiction, shall haue in their Seales of Office the Kings Armes, with certaine characters vnder them, for the knowledge of the Diocesse. But the Archbishop of Canturburie shall vse his owne Seale, and his owne name in all faculties and dispensations. EP. 1. M. 2. ^{5. Ed. 6. 1.}
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- Slaue.**
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shall have convenient houses provided for them, and otherwise be relieved in the Cities, Boroughs, or Townes where they were borne, or were most conversant by the space of three yeares, by the willing and charitable disposition of the Parishoners. And none other shalbe suffered to begge there. *RP.* 3. & 4. *Ed.* 6. 16.

9. *H.* 3. 31. 1. *Ed.* 3. 13. 4 There shalbe no Tenure in Capite of the King, by reason of lands coming to his hands by Attainder, Dissolution, Surrender &c. Conclusion of Tenure by matter of Record. *AB.* Tenure 1. 2. 3. *Tenure.*

11. *H.* 7. 13. 22. *H.* 8. 7. 5 No person shall transport, sell, or convey any Horse, Gelding, or Mare into Scotland, or beyond the Sea, without the King's licence. *AB.* Horse 14. & c. But every of the King's subjects may transport horses for their owne journys, and not to the intent to sell them. *RP.* 5. *Eliz.* 19. *Transporting of Horses.*

9. *Ed.* 6. 7. 37. *H.* 8. 15. 38. *H.* 8. 16. 6 Every person dwelling in Dorsetshire or Dorchester, may buy, and sell a gaine Dorsetshire wool in open Market. *AB.* Wool 4. Who may buy Worsted Ware in Dorsetshire, or Dorchester. No Worsted Yarne shalbe transported. *AB.* Yarne 1. 2. *Wool Parne.*

11. *H.* 6. 6. 7. *Ed.* 6. 3. 7 The death of the King shall not discontinue any suit. The death, Petition Commission, or Association of Justices, shall make no discontinuance of certaine actions. The plaintifes preferment to a name of dignitie, shall not abate his suit. New Justices may give judgment of a prisoner found guiltie. No suit befoze Justices shalbe discontinued by a new commission. *AB.* Discontinuance 1. & c. *Discontinuance of suits.*

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1. *M.* 15. 9 It shalbe lawfull to the Mayor and Recorder of the Citie of York, and to the Ordinarie, or his Deputie, and six Justices of peace in the said Citie to unite and knit together so many of the Parishes in York into a fewer number, as to them shalbe thought convenient: So the cleere yerely value exceed not twenty pounds. And so to proceed through the said Citie, and the suburbs thereof. And it shalbe lawfull to the said Mayor &c. to pull downe the Churches which they shall thinke superfluous there, and to bestow the same towards the repaire and enlargement of other Churches, Bridges, and the reliefe of the poze: and also to appoint the Patronage and Presentment, of the Churches so united, to the Patrons by turne. *RP.* *Union in York.*

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11 A Repeale of the Statute of 28. *H.* 8. 17. which gave authoritie to the King after his age of 24. yerres, to Repeale by his letters patents all former Statutes made during his minozitie. An authoritie given to the said king Edward the first, and to every heire of the late King Henry the 8. and to every person to whom the Crowne shall descend, remaine, or come, by his appointment, to Repeale all Statutes made befoze his full age of 24. yeares, saving this Statute, and all pardons granted by Parliament. So that the said Repeale containe all such Acts as shalbe Repealed, and three severall dayes be openly Proclaimed in the Chancerie in Terme time &c. and once in every Countie at the Assises. *RP.* *Repealing of Statutes.*

King Edward the sixt.

Repeale of Stat.	12 A Repeale of all Statutes whereby any acts or offences haue been made high Treason, or petit Treason, sithence the Statute of 25. Ed. 3. & whereby any act or offence hath beene made Felonie sithence 23. die Aprilis Anno 1. H. 8. And of all Statutes touching, mentioning, or in any wise concerning Religi- on or opinions, viz. of the Statutes of 5. R. 2. 5. 2. H. 5. 7. 25. H. 8. 14. concerning the punishment and reformation of Heretickes and Lollards: And of the Sta- tute of the six Articles made 31. H. 8. 14. and of the Statute of 34. H. 8. 1. touch- ing Bookes of the Testament in English: And of the Statute of 35. H. 8. 5. concerning the qualification of the Statute of the six Articles: And of the sta- tute of 31. H. 8. 8. & 34. H. 8. 23. concerning Proclamations made by the king with the aduice of his counsell. It shalbe high Treason, by writing, printing, or any ouert Act, to affirme, that the king is not Suppeme head in earth of the Church of England &c. & that the Bishop of Rome, or any other then the king is or ought to be: & to compasse to depriue or depose the King or his heires from his estate or title: & to affirme that any other ought to be king. EP. 1. M	1. M. 1. 1. H. 4. 10.
Heretickes. Lollards.		
Treason.	Clergie and Sanctuarie taken away in certaine cases, and from certaine of- fendozs, and allowed in all other cases of Felonie. AB. Clergie 13. 15. Till full poisoning shalbe adiudged murder. In what cases, and in what manner, a Lord of the Parliament shall haue his Clergie. And Bigamus shalbe allowed his Clergie, AB. Clergie 17. 16. The wife shalbe endowled, though her husband be attainted of petit Treason, misprision of Treason, Murder, or Felonie. AB. Dower 3.	26. H. 8. 13. 2. Ed. 6. 13. 5. Ed. 6. 9.
Clergie.		
Dower.		
Subsidie.	13 A Subsidie of Tonnage and Pondage graunted to the King during his life. EP.	
Chauntries.	14 All Colledges, Chauntries, free Chappels, Fraternities, Brother- hoods, Guilds, &c. And their Lands, Tenements, Goods, and Cattels shalbe in the actual and reall possession of the King, his heires, and successors. A con- firmation of all graunts made of any parcell of any of them by King Henrie the eight, or King Edward the sixt, to any person or Corporation. A confirmati- on of al gifts and graunts made to king Henrie the eight, or king Edward the 6. by any Archbishop, Bishop, Deane, Archdeacon, or other Spirituall Person, or by any Patron, Donor, or Founder of any of the said Deanries &c. and of al, or any Lands &c. to any of them annered. AB. Monasteries &c. 15. &c.	37. H. 8. 4.
Pardon.	15 The Kings generall and free Pardon Confirmed by Parliament. Except &c.	

Statutes made at the Session of Parliament holden by proro-
gation at Westminster, 4. die Nouembrii, Anno 2. Ed. 6.
& Anno Domini 1548.

The booke of common prayer	¶ 1 The penaltie for not vsing the booke of Common Prayer and admini- stration of the Sacraments, and other Rites and ceremonies of the Church, after the vse of the Church of England: & for vsing any other maner of Pra- yer, or administration of the Sacraments: & for deprauing the said booke, or anything contained therein. AL. 1. Eliz. 2.	5. Ed. 6. 14.
Captaines. Souldiers.	2 The penaltie of a Souldier, for making away his horse or harnais, or for departing from his Captaine without Licence: And of a Captaine that licen- ceth his Souldier to depart without the assent of the Lieutenant &c. & dis- chargeth	4. & 5. P. & M. 3. 18. H. 6. 19.

chargeth one appointed to serue, or demaundeth moze wages then is due. AB. Capitaines &c. 1. 2.

3 No Puruey^{or}, or other person, by authoritie of any commission, or other warrant, shall during thre yeares next, puruey, or take for the provision of the Kings household, his sisters, or any other persons, any Coyne, Beeves, Buttons &c. Wood, Coale, Straw, Hay, or any kinde of victuals, without the full consent of the owner, and at such price, for ready money, as the owner and Puruey^{or} can agree: He shall take for any of the kings affaires, or the wars, or other wise goods, cattles, or other things whatsoever (sauing Barges, Ships, Carts, and things necessary for carriages) without consent of the owner, and at such prices for ready money, as the owner and Puruey^{or} can agree (except posthorses for which shall be paid a penie a mile.) And if any Taker, or other person shall offend in any point contrarie to the ordinance aforesaid, he shall forfeit to the party grieved treble the value of the thing taken, suffer imprisonment a quarter of a yere, and make fine at the Kings pleasure. The King will allow to the owner of every cart taken for his household iiij. s. a mile, for the wars and other cariages ij. s. a mile. EXP.

4 A Repeale of the Statute of 34. H. 8. 16. touching Sherifes allowances upon their accompts: All Sherifes shall haue such allowances, as they haue heretofore had, and shall be discharged upon their accompts, of such sums of money which they cannot leuie. And every Sherife shall be sworn to deliuer into the Exchequer, Rolles of parchment of al such sums of money which he hath, or might haue leuied. The Treasurer, Barons, &c. of the Exchequer, shall award out such proces as they shall thinke good, for the leuying of the Kings auncient rights vniuersally withholden. AB. Sherifes. 38. 39.

5 Cities, Boroughs, and Townes corporate, in England and Wales, shall be remitted of such Fee Farmes as they ought to pay to the king for thre yeares. And the money gathered of the said Fee Farmes during those thre yeares, shall be employed about the repaying of Walle, or Bridges, setting the Boorde on worke, or other good deeds in every such Citie, or &c. AL. 3. Ed. 6. 18.

6 There shall be no exaction by the Admirall, or any of his officers, of any Merchant or Fishermen, traauiling for Fish. AB. Fish. 2.

7 Those Pentioners that by the craftie practise of others, did sell them such Pentions as by the Kings Patents were graunted vnto them out of Abbey or Religious Lands, for life, shall haue their Pentions againe, so that they pay or tender so much money as they received for their said Pentions. EXP.

8 Upon Inquisitions taken of lands, the interest of other persons shall be saued therein, though they be not found by Office. AB. Office 1. A Remedie where an heire of full age is found by Office to be within age. AB. Liuerie. 3. Trauerse to an vntrue Office, found after the death of the Kings Tenant: He upon Attainder of Treason, Felony, &c. He when the King is intituled to a Tenure, where none is: Upon a Trauerse, a Scire facias shall be awarded against the Tenant. AB. Trauerse 2. &c. A Remedie where Tenures be vncertainly found by Office. AB. Tenure 4. How the meane Lords shall be answered their Chiefe Rent, during the minority of the Kings Ward. AB. Wards 17.

9 A Confirmation of all former Statutes made concerning Tanners, Carriers, and Cordwainers. The seuerall duties of Carriers, Cordwainers, Cobblers, Sadlers, Girdlers, Leathersellers, &c. in binding, cutting, making, or selling of their wares, and of searchers to view, search, and seale the same. The Penaltie of transporting of Leather. Of what quantitie a Tanner shall cut his sole Leather. RP. 5. Eliz. 8.

1. Lac. 22.
3. Ed. 6. 6.

King Edward the sixth.

- Mault.** 10 How long Barley Mault shalbe in the fat, flour, steeping, and drying. 27.Eliz.14.
God Mault shall not be mingled with bad. Mault shalbe well troden, rubbed, 17.R.2.4.
and fanned, AB. Mault 1.&c.
- Tanner.** 11 No Tanner shall put any Tanned Leather to sale (saving Calves 1.Eliz.9.
Skins) Tanned or mixed with Ashen bark, sapwood, Peale, or Coluer dung
and unleste it hath lien in the Tan wozes sufficiently wrought thre quarters
of the yeare at the least: No shall ouerburne with Lime any hides: No shall
set his fats in tan hils: No shall put any hot ligno: or wozes in the fats where
in hides shalbe put to Tanning: No shall practise any other way for the ouer
speedy Tanning of hides, or whereby they shalbe burned or scalded: No shall
cut any hide of Steere or Cow to make clout Leather thereof: No shall Tan a
ny Sheepe skins, vpon paine to forfeit the same Leather &c. and bj. s. big. 8.
for euery hide &c. EP.
- Duke of Somers.** 12 A confirmation of all leases, and graunts by copie of Court Rol for life,
or liues, not exceeding thre liues of any lands of the Duke of Somerset, cal-
led Bartons lands, or demesne lands, made, or to be made, by the said Dukes
assignees to any person. R.
- Tithes.** 13 Mediall Tithes shalbe set forth in their kind to the parson or vicar &c. 27.H.8.20
The Tithes of Cattel feeding in wast grounds, of barren heath, of Merchants, 32.H.8.7.
handicrafts men, and of fish. How offerings shalbe paide. Where, and by what
meanes the partie grieved shall haue his remedy for tithes withholden. AB.
Tithes 25. &c. He that will sue for a Prohibition, must deliuer to a Judge of
the Court a copie of the libell. AB. Prohibition 10.
- Prohibition.**
- Gunnes.** 14 The penaltie for shooting with a hand-gun in a Citie or Towne, at a 33.H.8.6.
marke, or for shooting with haile-shoot. AB. Gunnes 4. 10. 11.
- Artificers.** 15 The punishment of victualers, conspiring not to sell their victuals but
at certaine pices: And of Labourers conspiring touching their wozkes. AB.
Labourers, Artificers 1. He shall forfeit b.l. to the King and Justice, which doth denie or
disturbe a Mason, Carpenter, &c. to wozke in any Citie, Borough, or Towne
Corporat, where he doth not dwell. EP. 3. Ed. 6. 20.
- Keepers of Castles.** 16 The king shall haue anthozitie to remoue such as haue by Letters Pa-
tents the keeping of Castles, Fortresses, or Bulwarkes, giuing to them as
good fees, wages, and profits, and of such like estate, and as good assurance in
the same, as they had in the other. EP.
- Sir William Sherington.** 17 A Confirmation of the Attainder of Sir William Sherington, who 3.Ed.6.13.
was indicted, and attainted by confession, of high Treason, for the counteifet-
ting of Lessons, to the value of 10. M. l. R.
- Sir Thomas Seimor.** 18 Sir Thomas Seimor, Lord Seimor, Lord Admirall, attainted of high 3.Ed.7.14.
Treason, for attempting to get into his custodie the person of the King, and the
gouernement of the Realme, for obtaining many offices, retaining many men
into his service, for making great prouision of money and victuals, and for en-
deuouring to marie the Ladie Elizabeth, the kings Siffer, and for perswading
the King, in his tender age, to take vpon him the rule and order of himselfe. All
persons shalbe paide such debts as the said Lord Seimor did owe them. R.
- Fasting dates.** 10 A repeale of all Statutes, Lawes, Constitutions, and Usages, hereto-
fore made or bled in this Realme, concerning fasting from any kind of meates.
No person shall eat any flesh vpon a Friday, or Saturday, Embzing day, in the
Lent, nor in any day heretofore bled commonly as a Fasting day within this 5.Ed.6.31
Realme, vpon paine of forfeiture of r. s. But this Act shall not extend to Saint
Lawrence euen, Saint Parks day, or other day or euen being abrogate. AB.
Holy dayes 4.

15.H.8.3.
1.Eliz.1.

20 An Incumbent of a Spirituall living, making default of payment of his Tenth due to the King, after lawfull demand made thereof, shalbe deprived of that onely Benefice, out of the which the same Tenth is payable. AB. Eccles. lastical &c. 29.

1.M.2.
1.Lac.25.
5.&6.Ed.6.
12.
3.H.7.7.
1.H.8.5.
1.Eliz.1.

21 All Lawes, Canons, Constitutions, &c. which doe prohibite Mariage Matrimonie. to any Spirituall person, that by the Law of God may marie, shalbe void. AB. Matrimonie 2.

22 The penaltie for Customing of other mens goods, whereby the King loseth his duty. AB. Customes 19.

23 A Repeale of so much of the Statute of 32. Henric 8. 38. as maketh that Mariage indissoluble which is contracted and solemnized in the face of the Church, and consummate with bodily knowledge, and fruit of Child, notwithstanding any Precontract of matrimonie. And the residue of the said Statute confirmed. AB. Matrimonie 1.

24 The tryall of a Manqueller, that poysoneth or striketh a man in one Countie, which dyeth in another. Where in that case the appeal of murder shalbe brought. Triall of an accessory in one Countie, to an offence done in another. AB. Triall 1.2.

25 Countie Courts shalbe kept Monethly. The Sherife of Northumberland shall keepe his Countie Court in Alnewicke. AB. Countie 1.2.

26 White Ashes shall not be Shipped or carried over the Sea. AB. White Ashes 1.

27 The penaltie for forging, or putting to sale any gads of yron, like to the fashion of gads of Steele. AB. Steele 1.

43.Eliz.15.

28 The force of fines levied before the high Justice of Chester, or the Deputie or Lieutenant, of Lands in Cheshire. AB. Fines 13.

25.H.8.6.
5.Eliz.17.

29 An offender in Buggerie being attainted by confession, verdict, or outlawrie, shall suffer death as a felon, without losse of lands or goods, or corruption of blood. HP. 1.M.1.

30 The Maior and Jurats of Rie and Winchelsey, in the Countie of Sussex, shall appoint convenient places to lay on all ballast that shalbe cast out of any Ship, or other vessell, which shall come within the Roade there, to receive any lading. And all ballast cast out of any Ship, shalbe layed upon the said appointed place, upon paine of forfeiture xl. s. for everie Tun of Ballast cast out contrary to the forme aforesaid. R.

18.Eliz.13.

31 All Recognisances of Statute Merchant, and Acton Burnel, acknowledged before the Mayor of Chester, shalbe good in Law. AB. Statutes 7.

32 The Statute of 32. H. 8. 30. concerning Jeofailes, Displeading, Attorneys, and of 35. Henry 8.6. touching granting a Tales de Circumstantibus at the Plaintifes request, made perpetuall. AB. Jeofailes 1. Attorneys 13 Jurors 23.

1.Ed.6.12.

33 Whosoever stealeth any Horse, Gelding, or Mare, that not have the benefit of his Clergie, or Sanctuarie. AB. Clergie 13.

34 The Sherife of Northumberland, before he receive his Patent, or etc. shall put in sureties in the Exchequer, as all other Sherifes doe. AB. Sherife 39.

35 A Confirmation of a Subsidie granted by the Clergie to the King, of vij. s. in the pound, to be payed in ij. years. EXP.

36 A confirmation of a Reliefe granted to the King by the Temporalitie, out of Shape, Clothes, Goods, Debts, &c. to be payed in three yeares. AL. 3. & 4. Ed. 6. 23.

21.H.8.10.
33.H.8.7.

37 No person shall load or ship, to the intent to carie beyond the Seas any Digge Waste,

King Edward the sixth.

Brasse, Copper, Latten, bell mettall, &c. He that shippeth them, shalbe bound to discharge them within this Realme. None of the same mettall shalbe shipped, but where there is a Customer. AB. Brasse 1. &c.

Calice.

38 The streets, laynes, wayes, and causeyes in Calice shalbe paved. And all the houses there shalbe covered with tiles, or slates. R.

Pardon.

39 The Kings generall and free Pardon confirmed by Parliament, Except &c. EXP.

Statutes made at the Session of Parliament holden

by prorogation at Westminster, 4. die Nouembris,

Anno 3. Ed. 6. & Anno Dom.

1549.

Custos Rot.

¶ 1 The Lord Chancelor of England, or Lord Keeper of the great Seale, shall appoint the Custos Rotulorum in euery shire in England, and Wales. AB. Custos Rotulor 1. 37. H. 8. 1.

Cloth.

2 In euery Towne not corporate where Cloth shalbe made, the Iustices of Peace shall appoint ouersers for the true making of wollen Cloth. The ouersers anthoritie. A penalty for refusing to be ouerser, or for not searching, or for interrupting ouersers. Dying of Cloth. Occupying of yron cards or pickards. The measure of Cloth. AB. Drapery 45. 46. 47. 48. 49. 50. 65. 66. 67. No Cloth shalbe strained or stretched aboue a yard and halfe in length, and a quarter of a yard in bredth. AL. 5. Ed. 6. 6. 39. Eliz. 20. 43. Eliz. 10.

Approuement

3 Euery person which shall bring an Assise vpon any branch of either of the Statutes of 20. H. 3. 4. or 12. Ed. 1. 46. touching approuement of Wastes &c. shall haue their damages trebled. To what houses or grounds the same Statute shall not extend. AB. Approuements. 5. 7.

Exemplificat.

4 An Exemplification of the Kings Letters patents vnder the great Seale, shalbe of as good force, as if the Letters Patents were shewed. AB. Exemplification 1. 13. Eliz. 6.

Unlawfull assemblies.

5 It shalbe high Treason for twelue persons, or aboue, being assembled together, to attempt to kill or Imprison any of the kings Councell, or to alter any Lawes, and to continue together by the space of an houre, being commanded by a Iustice of Peace, the Sherife, or Mayo &c. to retire. And it shalbe Felony for twelue or aboue to practice to destroy any Parke, Pond, Conduit, or Dowe house: Or to haue common, or way in any ground: Or to pull downe any houses, barnes, mills: Or to burne any stacke of coyne: Or to abate the rents of any Lands, or the prizes of any Widuall, and to continue together an houre, being commanded by a Iustice of Peace &c. to returne &c. EP. 1. M. 12.

Leather:

6 All Artificers vsing the cutting of Leather may buy and sell all Tanned Leather curried, or not curried, so that the buiers do conuert the same into any kind of wares made of Tanned Leather, notwithstanding the Statute of 2. & 3. Ed. 6. 9. EP.

Wild-fowle.

7 A repeals of so much of the Statute of 25. H. 8. 11. as concerneth the taking of Wild-fowle with Nets or other Engines: and the residue of the same Statute confirmed. AB. Wild-fowle 1.

Sewers.

8 The Statute of 23. H. 8. 5. touching Commissions of Sewers, made perpetual. Summes of money rated by vertue of the said Commission vpon any of

of the Kings lands, shalbe leuied by distresse, or other wise. What Fees shalbe payed for any such Commission or Dedimus potestatem sued out vnder the Seale of the Duchie. AB. Sewers 1.8.19. A Commission of Sewers shall continue five yeares. AL. 13. Eliz. 9.

9 No person shall buy any raw Hides or Calues skinnies to sell againe Raw hides. vntanned, vpon paine to forfeit for euery skinne six shillings eight pence. EP. 5. Eliz. 8.

10 All Bookes called Antiphoners, Missales, Grailes, Portuasses, Primers in Latine or English, and other Bookes vsed for seruice in the Church, (sauing such as shall bee set forth by the Kings authoritie) shall be clearely abolished. Euerie person that shall haue in his custodie any of the Bookes aforesayd, or any Images Grauen, Painted, or Carued, taken out of any Church or Chappell, shall deface the Images, and deliuer the Bookes to the Mayoers, Constables, or Churchwardens, to be by them deliuered to the Bishop, Chauncello, or commissarie, to be openly burned or defaced. But this shall not extend to any Image or Picture graued vpon any Tombe, which hath not bene commonly reputed for a Saint. But any person may keepe Primers set forth by King Henric the eight, so that the Inuocation to Saints be blotted forth. EP. 1. M. 2.

25. H. 8. 19.
27. H. 8. 25.
35. H. 8. 16.
11 The King during thre yeares shall haue authoritie by the aduice of his Councell, to name xxy. persons, to examine the Ecclesiasticall Lawes, and to gather and compile such Lawes, as shalbe thought to him, his Councell and them, conuenient to be practised within this Realme in all Spirituall Courts: so that any Law to be set forth be not contrary to any common Law or statute of this Realme. EP.

12 Such forme of making and consecrating of Archbishops, Bishops, Priests, Deacons, and other Ministers of the Church shalbe vsed; and none other, as by six Prelates, and six other men, learned in Gods Law, (to be appointed by the King) or the most number of them, shalbe deuised and set forth vnder the great Seale, before the first day of Aprill next. EP. 1. M. 2.

2. & 3. Ed. 6.
17.
13 Sir William Sherington of Laicocke in the Countie of Wilt-shire Knight, attainted of High Treason (whome the King hath pardoned) shalbe restored in blood. R.

2. Ed. 6. 18.
14 Marie Seimo, daughter to Sir Thomas Seimo, Lord Seimo, Marie Seimo, Lord Admirall, and of Queene Katherine, shalbe restored onely in blood, but not to her fathers Lands.

5. Eliz. 15.
33. H. 8. 14.
15 The penaltie for publishing any phantasticall or false Prophecie, vpon occasions of Armes, Fields, Beasts, &c. to the intent to make Rebellion, Dis-sension &c. EXP.

16 A Repeale of so much of the Statute of 1. Ed. 6. 3. as tendeth to make Vagabonds. The statute of 22. Henric 8. 12. shalbe reuised, which doth appoint how impotent and aged Persons shalbe relieved, and vagabonds punished. And all other Statutes made for the punishment of vagabonds, slaues, aged, and impotent persons, and euery clause and sentence in euery of them contained, shalbe repealed. Common Labourers in husbandrie which do loiter, and be idle, when they haue reasonable wages offered, shalbe punished as Vagabonds. Maymed, lamed, soze, aged, and impotent persons shalbe relieved and cured, and habitations provided for them, by the deuotion of good people of that Citie, Towne, or Village where they were borne, or haue last dwelt three yeares. A beggers child aboue five yeares of age, may be taken into seruice by any that will. EP. 14. Eliz. 5.

2. & 3. M. & 21. 5.
17 The Statute of 31. H. 8. 12. touching the wrongfull hunting or entrie into

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into any Forest, Chase, or Parke of the Kings, or etc. or into any other ground of his, bled for the nourishing of Deere, and of 32. H. 8. 11. concerning the unlawful killing of any Deere within any Parke, Chase, etc. renewed for thre yeares. EXP.

Fee Fermes 18 The Statute of 2. & 3. Edward 6. 5. touching the Kings releafe of Fee Fermes to Cities, Boroughes, &c. for thre yeares, confirmed for the first yeare onely, and repealed for the last two yeares. EXP.

Cattle. 19 No Cattell shalbe bought, but in the open Faire, or Market, saving by a Butcher, or for provision of household, Teame, or Dairie. AB. Carrell 2. 1. Jac. 25.

Artificers. 20 So much of the Statute of 2. & 3. Edward 6. 15. Repealed, as concerneth the deniall of certaine Artificers, to worke in Cities or Townes where they dwell not.

Butter and Cheese. 21 Butter or Cheese shall not be bought to be sold againe. except it be by tale, in open shop, Faire, or Market. AB. Butter &c. 1. 1. Jac. 25.

Artificers. 22 No Cloth maker, Fuller, Sheareman, Weauer, Taylor, or Shoemaker, shall retaine in any of the said Crafts a Journeyman, to worke by taylor worke, or by great, for any time vnder one quarter of a yeare. And every Journeyman being required, shall serue for a quarter of a yeare, halfe a yeare, or a whole yeare. Every person of any the said Crafts, which shall haue thre Apprentizes, shall keepe one Journeyman. Seruants in Husbandrie, and Bargetemen shall serue by the whole yeare, and not by day wages. RP. 5. Eliz. 4.

Reliefe. 23 A Reliefe graunted to the King out of Sheepe, and Clothes, by the Statutes of 2. & 3. Edward 6. 36. released. And the Reliefe graunted of and for goods, shall continue. And a Subsidie graunted to the King of twelue pence in the pound of goods, to be payd after the thre yeares mentioned in the said former Statute. EXP.

Pardon. 24 A Confirmation by Parliament of the Kings free and generall pardon: Except &c. EXP.

Statutes made at the Session of Parliament holden

upon prorogation at Westminster, 13. die Ianuarij,

Anno 5. Ed. 6. & An. Dom.

1551.

Common Prayer. 1 Every person shall resort to his Parish Church, or Chapel accustomed &c. upon every Sunday and Holie day: The Booke of Common Prayer is perused, and set forth by authoritie of this Parliament: 1. Eliz. 2.

Bishops. And a forme of making and consecrating of Archbishops, Bishops, Priests and Deacons. The penaltie for beeing present at any other forme of Common Prayer, Administration of Sacraments, or making of Ministers, is for the first offence fire Monethes Imprisonment, for the second twelue Monethes Imprisonment, and for the third, Imprisonment during his life. AB. Sacraments 2. 1. Ed. 6. 2. 1. M. 2.

Vagabonds. 2 The Statute of 22. H. 8. 12. & 3. & Ed. 4. 6. 16. touching Vagabonds and idle persons, renewed. The Poore and Impotent people of every Parish, shall be relieved with that, which every inhabitant of his charitable deuotion will weekly giue. RP. 14. Eliz. 5.

Holy dayes. 3 Which dayes onely in the yeare shall be Holy dayes, and which shall be Fastings dayes. AB. Holy dayes 1. &c. S. 1. M. 2. & 1. Jac. 25. & Quære 2. & 3. Ed. 6. 19.

4 The

- 4 The severall penalties for chiding, smiting, or drawing of a weapon, to strike another in a Church or Churchyard. AB. Fighting 2.3.4. Fighting.
- 5 So much land shall be put in Tillage, and so continued, as was at any time in Tillage (and so kept foure years) thence Anno 1. H. 8. upon paine, the offender to forfeit five shillings an Acre. But this Act shall not extend to any land converted, or to be converted into pasture for the maintenance of the house of any person: For to Land that hath commonly been pasture 40. yeares last past For to wast Grounds, Heathes, common Downes, Fennes, Moores, or Marshes, that have not been commonly tilled 30. yeares last past: For to any waterrein for Conies, or Parke for Deere: For to any ground stubbed: For to any salt or surrounded Marshes: For to any ground inclosed by the Kings licence: For to any Orchard, Gardein, Poole, or Pond-yard: For to any Meadow-ground yearly mowed for Hay: For to any Land set with Saffron or Hops, or sowne with Pease, Flare, Clover, or Padder, or sowne with Acornes, or set with Wood, during such time as the same shall be used to the intents before specified. Neither shall this Act extend to any that hath, or within one yeare shall convert so much Pasture into Tillage within the same Parish, Towne, Village, or Hamlet. EP. 5. Eliz. 2. Tillage.
- 6 Of what length, breadth, and weight, severall sorts of Clothes ought to be. The severall forfeitures, if the same doe faile. Searching and sealing of Cloth. AB. Draperie 5. &c. A Repeale of all former Statutes, concerning the making, dying, dressing, pressing, searching, or sealing any clothes, mentioned in this act. Clothes.
- 7 What persons onely may buy Wools, and for what purposes. At what time of the yeare a Merchant stranger may buy Wooll. How long any person may keepe his Wooll unsold. AB. Wools 1. &c. Wools.
- 8 No person shall weave or make, or put to weaving or making, any broad woollen Cloth to be solde, unlesse he hath been apprentice to the same occupation, or been practised therein vij. yeares before, upon paine of forfeiture of all the Cloth so woven. AL. 1. M. 7. Weaver.
- 9 No person robbing any house, booth, or tent, by day, or night, shall have the benefit of his Clergie. AB. Clergie 13. Clergie.
- 10 The Statute of 24. H. 8. 3. shall stand in full force, which taketh away the benefit of the Clergie from him which is attainted in one Countie for Felonie committed in another, if he might not have had his Clergie in that other, notwithstanding a clause comprised in the Statute of 1. Ed. 6. 12. AB. Clergie 17. Clergie.
- 11 It shall be high Treason for any person directly to affirme by Writing, Printing, Painting, Carving, or graving, that the King is an heretike, schismaticke, Tyrant, Infidel, or blasper of the Crowne: Or rebelliously to detain from the King any of his Castles or holds, or any of his Shippes, Ordnance, Artillerie, or other fortifications of warre. EP. 1. M. 1. Before whom Treasons shall be tried that be committed out of the Realme. Proces of Outlawrie awarded against offenders in Treason being out of the Realme, shall be effectual in Law. AB. Treasons 10. 11. Forfeiture by attainder of Treason of Lands in Fee simple and Fee taile. AB. Forfeiture 2. The Wife shall not be endowed if her husband be attainted of Treason. AB. Dower 3. Treasons.
- 12 The marriage of Priests and other Spirituall persons shall be adjudged lawfull. Their children shall be legitimat. They shall be tenants by the courtesie after the death of their wives, and their wives shall be endowed of their Lands. AB. Matrimonie 5. 6. 7. Marriage of Priests.

King Edward the sixth.

- Religious persons** 13 **Euerie Religious person** shalbe adiudged as heire, or inheritable to his auncesf, onely from the time of his deraignment. AB. Abilitie 3. 31.H.8.6.
- Forefallers** 14 **Who** shalbe adiudged a Forefaller, who a Regrator, and who an engrosser. The punishment of them. What persons may regrate, and ingrosse, and for what causes. AB. Forefallers 1.&c. No person may buy cattell, and sell them againe alie within five weekes. AB. Cattel 1. 13.El.25. 5.El.12.
- Leather.** 15 **What persons,** and for what purposes, may buy and ingrosse Tanned Leather, and sell the same againe. No person shall transport Shoes, Boots, &c. AB. Leather 5 1.&c. 1.M.8. 1.Eliz.8.
- Offices.** 15 **The penaltie** for buying or selling of some sort of Offices. And what Offices may be granted as before, and by which persons. AB. Offices 4. 5. 6.
- Continuance of Statutes.** 17 **Seuerall Statutes** made in the Reignes of King Henric the eight, and King Edward the first, reuiued, and continued untill the last day of the next Parliament. &c.
- English Ships** 18 **An alteration** of the Statute of 4.H.7.10. restraining the bringing of Calcoine or Guian Wines, or Wholoe Wood into this Realme, but in Englishmens ships. 5.Eliz.5. 1.Eliz.13.
- Money** 19 **The penaltie** for exchanging, by giuing or receiuing for Money more then it is currant. AB. Money 1. 25.Ed.3.12.
- Usurie.** 20 **No person** by any meane shall lend or forbear any sum of money for any maner of Usurie, or increase, to be receiued or hoped for, aboue the sum lent, vpon paine to forfeit the sum lent, and the encrease, imprisonment, and fine at the Kings pleasure. &c. 13.Eliz.8.
- Tinker. Pedler.** 21 **No Tinker, Pedler,** or petit Chapman, shall wander abroad from the Towne where he dwelleth, or exercise the trade of a Tinker, but such as shalbe licenced by two Iustices of peace or more, vnder their hands and Seales, vpon paine of fouretene dayes imprisonment. &c. 1.Iac.2.5.
- Cigmill.** 22 **Whofoeuer** occupieth any Cigmill in the workemanship of Wollen Cloth, shall forfeit &c. AB. Draperie 66.
- Upholster.** 23 **What stuffe** shalbe put in Featherbeds, Bolsters, Pillowes, Quilts, Mattresses, and Cushions. AB. Upholsters 1.&c. 11.H.7.19.
- Couerlets.** 24 **Who** may make Felts, Thrummed Hats, Couerlets, or Doornikes in Norwich, or Norfolk: And in what places there they may be made. AB. Couerlets 1.&c.
- Alehouse.** 25 **Iustices of peace** may discharge common selling of Ale, or Beere. The penaltie for keeping an Alehouse without Licence. AB. Alehouse 1.&c. 11.H.7.2. 1.Iac.1.9.
- Lancashire.** 26 **A Proclamation** shalbe directed to the Sherife of the County of Lancaster, vpon an Erigent awarded out of the Kings Bench or Common Place, against any person of the same Countie: The Sherife of Lancaster shall haue Deputies in those Courts. The Sherifes forfeiture, for not returning a writ of Proclamation. AB. Exigents 6.7.8.10.11. 1.Ed.6.10.

Statutes made at the Parliament holden at Westminster

1. die Martij, Ad. 7. Ed. 6. & Anno Dom. 1552.

1 Certaine Officers accomptant to the King, shalbe bound with sureties for their true account, and payment. Auditors and Receivers shall make Receipts to particular accomptants. A Remedy for the kings Receiver, or Bayliffe, for the leuving of the kings Rents withholden. Within what time the kings Receivers and some other accomptants shall make their accompts & payments. AB. Accompt and debts &c. 10. &c.

2 The Court of Augmentations was erected by the Statute of 27. H. 8. 27. Courts. The Court of first Fruits by the Statute of 32. H. 8. 45. The court of Wards by the Statute of 32. H. 8. 46. And the court of generall Surueyours by the Statute of 33. H. 8. 39. After which the said king H. the eight, did dissolve the said Court of Augmentations, and the Court of generall Surueyours: and the Officers of the same Courts did surrender their Patents and Offices to the King. And after the said King Henrie the eight by his Letters Patents erected one other Court, called the Court of Augmentation and Reuenues of the Kings Crowne, and appointed diuers Officers of the same. Which Letters Patents he confirmed and shalbe as good, as if they had bin made by Act of Parliament. The King may at any time during his life, by his Letters Patents vnder the great seale, alter, change, vnite, transpose, dissolve, or determin all or any of the said Courts, and reduce them to one, two, or more, or to any other Court of Record, or erect any other new Court or Courts. EXP.

3 A confirmation of all Letters Patents made by King H. the 8. thence 1. Ed. 6. 8. 27. H. 8. 27. 37. H. 8. 20. 35. H. 8. 14. 1. Eliz. 4: 4. die Februarij, Anno 27. of his Reigne, and by K. Ed. 6. thence 28. die Ianua. Anno 1. of his Reigne, or to be made during his life, notwithstanding his non-age, or not reseruing of Tenures, rents or Tenths. AB. Patents 22.

4 Collectours of Tenths shalbe bound to save the Bishops harmlesse against the king, for all manner of their accounts and payments. S. 14. Eliz. 7. & Q. And they shall abide no longer in their Offices, then the Bishop graunto shall doe in his See. AB. Collector 1. Which is the day wherein the Tenths of all spirituall persons shalbe paid to the king, and the penalty of Recusants. AB. Ecclesiasticall 29. Collectours of Tenths,

5 The prices of all sorts of Wine by small measure. Who may keepe vessels of wine to spend in their houses, and who not. EP. 1. Iac. 25. In what cities and Townes Wine may be sold by retails. Winteners shall not retails Wine but by Licence. How many Tauerne may be appointed in every citie, borough Towne, &c. AB. Wines 6. &c. Wines.

6 The Statute of 17. Ed. 4. 1. which maketh it Felony to carrie out of this Realme any Coine, Plate, Jewels of gold or silver (without the kings licence) reuiued for xx. yeares. EXP. Money.

7 What shalbe the Assise of Fuell of all sorts. None shall buy Fuell, but which will burne, or retails the same. AB. Fuell 1. 6. A repeale of all former Statutes touching the Assise of Fuell. Fuell.

8 The Statute of 22. Ed. 4. 5. prohibiting the felling or thiking of Hats or Caps, reuiued for 5. yerres. EXP. & EP. 1. Iac. 25. Felling caps.

9 Every piece of Cloth called white pinned Straits ready dyed to put to sale, shall containe in length at the least xx. yards, in bredth one yard, in waight xj. l. and every piece of pinned Straits shal containe in length xj. yards, in bredth 3. quarters of a yard, & in weight vij. l. at y least. Haire, flocks, & lambes wooll may be put into any of the said clothes made in Denon & Coznwal. EP. 27. El. 18 Cloth.

King Edward the first.

Gatſide.

10 The Towne of Gatſide, and all the inhabitants of the ſame, and a parcell of ground called the Salt Meadowes, adioyning thereunto, and the whole water and brydge belonging to the ſame Towne, ſhalbe deuided from the Biſhopricke of Durham, and from the Liberties, and Countie Palantine of the ſame, and ſhalbe vnited to the Towne of Newcaſtle vpon Tyne, and adiudged to be within the Countie and Shire of the ſame Towne of Newcaſtle, and ſhalbe reputed as a part and member of the ſame. And the inhabitants of Gatſide ſhalbe vnder the government of the Mayor and Burgeſſes of Newcaſtle. The Inhabitants of Gatſide ſhall continue their Common within the Biſhopricke of Durham, and ſhal haue wood in Gatſide parke, for the reparations of their houſes, and the brydge, as they haue had. *RP. 1. Ma. 3. Parl. 2.*

**Continuance
of Statutes.**

11 Generall Statutes made in the Reignes of king Henric the eight, and king Edward the firſt, Reuined, and made to continue vntill the laſt day of the next Parliament. *EXP.*

Subſidie.

12 A Subſidie and two Fifteenes and Tenthes graunted to the king by *1. M. 17.* the Tempozaltie, to be payed in two yeares. *EXP.*

Subſidie.

13 A Confirmation of a Subſidie of ſix ſhillings in the pound, to be payed in three yeares, graunted to the king by the Clergie. *EXP.*

Baron.

14 The kings generall and free Barren confirmed by Parliament: except *et. EXP.*

Scanties

Statutes made at the first Session of Parliament holden at
Westminster 5. die Octobris, Anno 1. Ma. & Anno
Dom. 1553.

1.H.4.10.
1.Ed.6.123

No Act, deed, or offence, being by any Act of Parliament made Treason, petit Treason, or misprision of Treason, by words, writing, cyp-
hering, deeds, or otherwise, shall be adjudged so to be, but onely such
as be declared to be Treason, petit Treason, or misprision of Treason, by the Stat. of 25. Ed. 3. 2. All offences made felonie, or limited to be with-
in the case of Præmunire, by any Stat. made sithence the first yere of the reigne
of H. 8. not being felonie before, nor within the case of Præmunire, shall be re-
pealed and void.

Repeale of
Treasons.

Felonie.
Præmunire.

Statutes made in the last Session of Parliament holden
upon prorogation at Westminster 24. die Octobris, Anno 1.
Ma. & An. Dom. 1553.

In Queene's Decree, Sentence, and Judgement of Divorce betweene H. 8. and Queene Katherine his wife, and all Procces commenced, made, or
promulged by Tho. Crammer, then Archbishop of Canterbury, or any other,
whereby the said mariage was declared to be unlawfull, shall be void. And the
Stat. of 25. H. 8. 22. and 28. H. 8. 7. and all other Acts of Parliament, where-
by the Qu. is declared to be illegitimat, or the said mariage betweene the said
H. 8. and Qu. Katherine, against the word of God, or unlawfull, shall be re-
pealed: And the said mariage shall be adjudged to stand with Gods word, and
taken to be good to all intents.

H. 8.
Katherine.

1.El.1.

1.El.2.

1.Jac.2.5.

1.Eliz.2.

1.Jac.25.

1.Jac.25.

2 A repeale of the Stat. of 1. Ed. 6. 1. made against such as shall speake un-
reverently of the bodie and bloud of Christ: And of the Stat. of 1. Ed. 6. 2. con-
cerning the election of Bishops: and of the Statute of 2. Ed. 6. 1. concerning the
uniformitie of Service, and Administration of the Sacraments: and of the
Stat. of 2. Ed. 6. 21. made to take away all Positive Lawes, ordained against
the mariage of Priests: and of the Stat. of 3. Ed. 6. 10. made for the abolish-
ing of divers bookes and Images: and of the Stat. of 3. Ed. 6. 12. made for the
ordering of Ecclesiasticall Ministers: and of the Stat. of 5. Ed. 6. 1. made for
the uniformitie of Common Prayer, & Administration of the Sacraments:
and of the Stat. of 5. Edw. 6. 3. made for the keeping of holie daies and fasting
dayes: and of the Stat. of 5. Ed. 6. 12. touching the mariage of Priests, and le-
gitimation of their childzen. All such Divine Service, and Administration of
Sacraments, as were most commonly used in England in the last yere of H.
8. shall be used through the Realme after the xx. day of December, An. Dom.
1553. and no other kind of Service, nor Administration of Sacraments. R. 1.
Jac. 25.

Repeale of
Statutes.

3 The penaltie for disturbing of a Preacher in the time of his Sermon.
AB Preacher 1. The like penaltie for disturbing of a Priest saying Masse, or
such other Divine Service, or Sacraments, as was commonly used the last
yere of H. 8. or for contemptuously defacing, or unreverently handling the
most blessed, comfortable, & holy Sacrament of the bodie and bloud of Christ,
being in any Church, Chappell, Pyre, Canapie, or other decent place: Or for
breaking of any Altar, Crosse, or Crucifix, in any Church, Chappell, or Church
yard. CB.

Preacher.

Masse.

Sacrament.

Crosse.

Queene Marie.

Assurances
made in the
D. Janes
time.

L. Jane,
Dudley.
Limitation.

Treason.

Fines.

Sheriffe.

Physicians.

Courts.

Hats & Caps

Riots.

Continuance
of Statutes.

Coales.

S. Clens in
Poyske,

4 All Statutes, Recognisances, Indentures, and other writings knowledged, or made, by or to any person sithence the 6. day of Julie last past, and befoze the first of August following, vnder the name of the Raigne of any other than of the Qu. shall bee as good in the law, to all intents, as if the name of the Qu. with her Stile had been contained in the same writings, &c. But this shall not make good any Letters Patents, Commissions, Grants, Leases, or other writings, made by the Ladie Lane Dudley.

5 Certain Writs and Acts whereunto the Statute of Limitation made 32 H.8. 2. shall not extend. AB. Limitation 7.

6 It shall be high Treason to forge the Quens Signe manuell, priuie Signet, or priuie Seale, or any coine currant within this realme, which is not the proper coine of the realme. AB. Treason 2.

7 Fines leuied befoze the Iustices of the Common Place, shall be of force, notwithstanding Proclamations be not duly made, by reason of the adiournment of any Terme. AB. Fines 11.

8 No Sheriffe shall be Iustice of Peace of any countie where and when hee is Sheriffe. AB. Sherifes 21.

9 Whosoener shall be committed to prison by the President of the Colledge of the Physicians in London, or his Deputie, shall be receiued by the keeper of the same prison. Foure Physicians, and the Wardens of the Apothecaries, shall search Apothecarie wares in London. Iustices of peace, Maiors, &c. shall assist the President of the said Colledge. AB. Physicians 4.8.10. 32.H.8.40.

10 The Queene may at any time during her life, by her Letters Patents vnder the great Seale, alter, change, vnite, transpose, or dissolve, all, or any of the Courts of Augmentations, of the First Fruits and Tenths, of Wards, of generall Burnepours, and of the Duchie of Lancaster, and reduce them into one, two, or moze, or to any other Court of Record, or erect any other new Court or Courts. If the Queene shall annere any of the said Courts vnto the Exchequer, then all things within the suruey of the sayde Court so annered, shall bee ordered in like manner to all intents, as the said Court of Exchequer is or ought to bee, by the Common Lawes and Statutes of this Realme. 7.Ed.6.2.

11 A confirmation of the Statute of 21.H.8.9. touching the prices of woollen hats and caps made beyond the sea. Customing of the same hats and caps. No man shall buy aboue one dozen of hats or caps made out of the Realme. EP 1.Iac.25.

12 The penaltie for twelue persons or aboue, being assembled together, to commit severall forcible and unlawfull acts, or any of them, & being commanded by Proclamation by a Iustice of peace, to depart, yet to continue together by the space of an houre &c. EP. And a repeale of the Stat. of 3.Ed.6.5. touching such unlawfull assemblies. 1.Eliz.16.

13 Severall Stat. made in the raignes of H.8. and H.6.6. reuined, and made to continue vntill the end of the next Parliament. EP.

14 The Statute of 23.H.8.2. ordained for the making of Coales in severall counties, shall be continued vntill the end of tenne yerres next after this Parliament. EP. 5.Eliz.24. 13.Eliz.5.

15 It shall be lawfull to the Parishioners of the late Parish of S. Clens in Stanegate, within the citie of Poyske, and the Inhabitants that now are, or hereafter shall be dwelling in the same, to build againe the same Parish church and the churchyard, and therein to vse Divine Service, Sacraments, &c. And the Queene, her heirs, and successors, may present an able Clerke to the vicarage of the same. R. 1.Ed.6.9.

16 A Confirmation of the Attainder of High Treason of Iohn Duke of Northumberland, Thomas Cranmer Archbishop of Canterburie, William Marquess of Northampton, Iohn Earle of Warwick, Sir Ambrose Dudley Knight, Gilford Dudley & Iane his wife, Henrie Dudley, Sir Andrew Dudley Knight, Sir Iohn Gates Knight, and Sir Thomas Palmer Knight. *EX.*

17 A Confirmation of a Release, which the Qu. by her Letters Patents & Subsidie made to the Temporalitie, of a Subsidie given to King Ed. by the Stat. of 7. E. 6. 11. referring to the Queen the two Fiftieths graunted by the said Statute. *EX.*

18 A Subsidie of Tonnage and Poudage granted to the Qu. during her life, Subsidie. out of diuers merchandizes. *EX.*

Statutes made at the Parliament holden at Westminster

2. die Aprilis, An. 1. M. & Anno Dom. 1554.

¶ 1 The Regall & kingly power of this realm, and all the dignities & prerogatives of the same, shalbe aswell in a Qu. as in a King. *AB. Crowne 1.*

2 The Articles of mariage betweene Philip Prince of Spaine and the Qu. rehearsed, and confirmed. The Qu. shall & may, only, and as a sole Quene, vse and enioy the Crowne and Soueraigntie ouer her Dominions and Subiects, with all the prerogatives, iurisdicions, manors, lands, &c. belonging to the same, in such only estate, & in such large maner in all degrees, after the solemnization of the said mariage, as she now hath and enioieth the same, without any right, claime, or demand to be giuen, come, or growen vnto the said prince, as Tenant by the Courtesie of this Realme, or by any other meanes. All gifts, Grants, Letters Patents, Leases, and other writings, which during the said marriage, shall passe and bee made of Benefices, Offices, Lands, Reuenues, and Fruites, shall bee intituled and made in the names of the sayd Prince and the Queene, and shall be signed with the signe manuall of the Qu. And those Grants, Letters Patents, and Writings which shall not be signed with her signe manuall, shall be void. S. 1. & 2. P. & M. 1. this last by aunch repealed.

3 A Repeale of one Stat. (not printed) made 7. Ed. 6. whereby the Bishopricke of Durham was dissolued, and all the lands and possessions thereof were giuen to the King: and of one other Stat. made 7. Ed. 6. 10. whereby the towne of Gateside &c. was seuered from the said Bishopricke of Durham, and annexed to the towne of Newcastle. And Cuthbert Tunstall restored to the said Bishopricke, and to all the possessions and franchises therof (sauiug to a Capitall Mansion house in Thames Street in London, and five tenements thereunto belonging) and to the said towne of Gateside &c. *R.*

4 A repeale of the Statute of 32. H. 8. 39. made touching the erection of the office and authoritie of the great Master of the Kings house, and the reestablishing of the name, office, and authoritie of the Lord Steward of the Queenes house. *R.*

5 The Causeway paved with stone in the Countie of Dorset and Somerset, betweene Shaftesburie & Shirborne, shall from time to time be made & amended by the owners and fermors of the lands, lying nigh to the said Causeway, on either side of the same, and by the inhabitants of Shaftesburie and Shirborne, and by the owners & fermors of lands, and by the inhabitants within the Forest of Wyllingham, and liberties of Wyllingham, and Alcester, and the Hundreds of Redlane & Shirborne in the Countie of Dorset, and the Hundred of Hozethorne in the Countie of Somerset. And the Just. of Peace of the Counties

Queene Marie.

- ties of Dorset and Somerset shall asseſſe the ſaid owners, ſervants, & inhabitants, towards the ſaid repaire. And if the ſaid Juſtices ſhall reſuſe to put this Act in execution, the Lord Chaunceloz, oz L. Keeper &c. ſhal vpon request make a Commiſſion to certaine diſcret perſons to put this Act in execution. *EX.*
- Wiſſow and Glouceſter way.** 6 The inhabitants of the cities of Glouceſter and Wiſſow, within their ſeverall Liberties, and of the Hundzeds of Barton next Wiſſow, Cromball, Aſhe, Barkeley, Whiteſtone, Thorneburie, and Hendburie, in the countie of Glouceſter, ſoz their ſeverall limits and hundzeds, ſhalbe charged with the reparation of the way between Wiſſow and Glouceſter. *EX.*
- Clothiers.** 7 Inhabitants in Cities, Bozoughs, cozpozat Towns, oz market Towns, where making of cloth was uſed at the time of the Stat. of 5. & 6. E. 6. may make any maner of broad clothes, and put them to making, ſulling, dying, and ſhearing, without impediment, ſo that the ſame cloth be of lawfull length, breadth, and weight, notwithstanding the ſaid ſtatute of 5. & 6. Ed. 6. 8. AL. 4. & 5. P. & M. 5.
- Leather.** 8 It ſhalbe lawfull ſoz the Currier, Shoemaker, Cirdler, Sadler, Bindgetmaker, and all other Artificers occopping the myſterie of Leather buying, to buy all kind of tanned Leather in Faïres and Markets, it being lawfully tanned and dyed, ſo that they buy it not to ſell againe to any, to be conueyed ouer the ſea. No Currier ſhall currie any hide, ſoz a ſhoemaker to make ſhoes oz boots of, from the xrb. day of Julie vntill the xrb. of March, vnt ſuch as ſhall be twice ſufficiently dipped in the panne. *EX.* 1. Eliz. 8. The Statute of 5. & 6. Ed. 6. 15. touching the buying of tanned leather, and ſelling the ſame againe, repealed.
- Cathedral Churches.** 9 The Queene during her life ſhal haue authoritie, by writing to be ſealed with the great Seale of England, to make and preſcribe to all thoſe churches cathedral and collegiat, that were erected and eſtabliſhed by R. H. 8. and to the Deanes, Prebendaries, and Miniſters of the ſame, and to their ſucceſſozs, ſuch ſtatutes and orders, ſoz the good gouernance of euerie of them, and of the lands and poſſeſſions of euerie of the ſame churches, as ſhal ſeeme good to her: and to alter, change, augment, oz diminith the ſame, as occaſion ſhall ſerue: and to ordaine and eſtabliſh ſtatutes, ordinances, & foundations ſoz the gouernment of ſuch Grammer Scholes, as were erected by R. H. 8. oz by R. Ed. 6. & of the Miniſters & Schollers of the ſame: and to alter and tranſpoſe other ſtatutes & ordinances there heretofore made. *EX.*
- Winger. Grented.** 10 The repeale of a ſtatute (not printed) made An 2. Ed. 6. touching the consolidation & vñion of the pariſh churches of Winger and Grented in the county of Cſſer. And they ſhalbe ſeuerall pariſhes as they were befoze. And James Mo-rys and his heires ſhall haue the Preſentation of the ſaid Parſonage of Winger. *EX.*
- Sewers. Glamorgan.** 11 The Commiſſioners of Sewers in the countie of Glamorgan, ſhal take order ſoz the ſauing of the land from deſtruction by ſands riſing out of the ſea. *23. H. 8. 5. AB. Sewers 6.*
- Continuance of Statutes.** 12 Certaine ſtat. made in the raignes of R. H. 8. R. Ed. 6. & Qu. Marie, reu-ued, and continued vntill the laſt day of the next Parliament. *EX.*

Statutes made at the Parliament begun at Weſtminſter 11.

die Nouembris, Anno 1. & 2. P. & M. & Anno

Dom. 1554.

¶ 1 The Repeale of a branch of a ſtat. made 1. M. 2. touching the ſigning of Letters Patents, Graunts, Leaſes, oz other Writings, of any Lands, *1561*

4. & 5. P. &
M. 1.

Benefices, Offices, or other hereditaments, with the Queenes signe manuell. A confirmation of all Letters Patents concerning any gift, grant, lease, or other writing, which sthence the marriage betweene the King and the Queene, haue passed of any Benefices, Offices, Lands, Liberties, or other Hereditaments, in the names of the King and Queene, the warrants whereof were signed with the Queenes signe manuell, which shall be as good, as if the had bene sole and unmarried.

Patents.

24. H. 8. 13.

2 Whosoever shall weare like in or upon his Hat, Bonet, Circle, Scabbard, Hose, Shoes, or Spur-leather, that be three monethes imprisoned, and forfeit 1. l. Except Paiois, Aldermen, &c. If any person knowing his servant to offend, doe not put him out of his service within xiiij. dayes, or doe retaine him againe, he shall forfeit 100. l. 1. l. ac. 25.

Apparel.

23. El. 2.

3 A confirmation of the statute of 3. Ed. 1. 33. and 2. R. 2. 5. touching telling of newes. AB. Newes 1. Justices of Peace in euerie shire, citie, &c. shall haue authoritie to heare and determine the said offences, & to put the said two stat. in execution. AB. Just. of peace 2. 1. If any person shall be convicted or attainted for speaking maliciously of his owne imagination, any false, seditious, & slanderous newes, sayings, or tales, of the King or Queene, then hee shall for his first offence be set on the Pillory in some market place, neere where the words were spoken, and haue both his eares cut off, vnlasse hee pay to the Queene an hundred pounds within one moneth after iudgement giuen, and also shall bee three moneths imprisoned. And if hee shall speake any such slanderous and seditious newes or tales of the speaking or report of any other, then hee shall be set on the Pillory, and haue one of his eares cut off, vnlasse he pay 100. marks to the Queene vnto one moneth after, and shall be one moneth imprisoned. And if he shall doe it by booke, rime, ballade, letter, or writing, hee shall haue his right hand stricken off. And if any person being once convicted of any of the offences aforesaid, do afterward offend, hee shall be imprisoned during his life, and forfeit all his goods and cattels. 1. l. ac.

Newes.

1. El. 6.

22. H. 8. 10.
5. Eliz. 20.

4 The severall penalties for bringing Egyptians into this Realme, or for suing for licence for them to continue in England, or for them to remaine here. AB. Egyptians 1. &c.

Egyptians.

25. H. 8. 2.

5 The penalties for transporting of cozne, butter, cheese, herrring, or wood, out of this Realme, without lawfull authority: Or for the carrying of the same into any ship to be transported: Or for the carrying more than is licensed: Or for the shipping of cozne, victual, &c. licensed at severall places. AB. Corne 1. &c.

Transporting
victual.

6 A reuener of the stat. of 5. R. 2. 5. concerning arresting of Heretical Preachers, & of the stat. of 2. H. 4. 15. touching repressing of Heresies, & punishment of Heretikes, and of the stat. of 2. H. 5. 7. concerning the enozmitie of Heresie and Lollardie, and the suppression thereof. 1. l. ac.

Heretikes,
Lollards.

7 No person dwelling in the countie shall sell wares within any citie or towne cozpozat, by retaile, but in open Faies. AB. Merchants 11.

Merchants.

8 The whole bodie of this Realme reduced and receined into the vnitie of Christs Catholike Church, & the obedience of the See Apostolike of Rome, & absolved & deliuered from excommunication, interdictions, &c. which hath hangd ouer their heads for their defaults, since their Schisme. A repeale of all statutes, articles, & pzoouisions, made against the see Apostolike of Rome, sthence the 20. yere of H. 8. 1. l. ac. 1. Eliz. 1. A confirmation to the Qu. & all others, of all manors, lands, tythes, & other hereditaments of the late Monasteries, Colleges, Chantries, Bishopricks, & other Ecclesiasticall houses, which came to the hands of H. 8. or H. 8. 6. by dissolution, surrender, forfeiture, or other wise. AL. Monasteries 3 2.

See of Rome

Monasteries.

1. Eliz. 1.

King Philip, and Queene Marie.

**Traiterous
wordes.**

9 If any shall pray, or desire, that God will shorten the daies, or take her out of the way, or any such malicious prayer, amounting to the same effect, he, his procurators, and abettors, shall be adiudged Traitors. *EX.* 23. El. 2.

Treason.

10 It shall be high Treason to compass the death of the king, or the queene, or to depriue either of them of the stile or kinglie honour of this Realme: or to affirme, that any other than they, and the heires of her bodie, ought to bee king or queene. An order for the government of the queenes issue. *EX.* Trial of Treasons shall be according to the course of the Common Lawes. *AB.* Treason 13. 13. El. 1.
33. H. 8. 23.
32. H. 8. 4.

**Counterfeit
Money.**

11 It shall be high Treason to bring into this realm any counterfeit money, like to the coine of other realmes, permitted to be currant within this realme. *AB.* Treason 3.

Distresse.

12 No Distresse shall be driuen forth of the Hundred where it is taken, nor impounded in feuerall places. The penaltie for taking more for poundage than is due. *AB.* Distresse 1. 2. The Sherife shall appoint foure deputies to make Repleuins. *AB.* Sherifes 22. 32. H. 3. 4.
3. Ed. 1. 16.

Bailment.

13 The manner of bailment by Just. of peace of any persons arrested of felonie, or suspicion of felonie, of the taking & certifying their examinations, and of binding others to giue euidence against them. *AB.* Just of peace 106. What thing is requisit to be obtained, to remoue any prisoner, or recognisance, by Habeas corpus, or Certiorari. *AB.* Remouing &c. 1. 3. H. 7. 3.
2. & 3. P. &
M. 10.

Poswich.

14 Russell Battens, Battens Reuerfes, and Fustians of Staples, shall bee made in Poswich, and shall be called Poswich Battens, and Poswich Fustians. And there shall be a bodie composed, and foure wardens yearely chosen and sworn, to view, search, and see all the Russels, &c. made in the same citie, during the said yeare. *EX.*

Russels.

L. Parchers

15 What forfeitures, mises, profits, liberties, and franchises, Lords Parchers Spirituall and Tempozall in Wales, shall haue of their tenants. *AB.* Wales 122. 27. H. 8. 16.

**Continuance
of Statutes**

16 Certaine statutes made in the raignes of H. 8. H. 8. Ed. 6. and Qu. M. renewed, and continued untill the last day of the next Parliament. *EX.*

**Parsonage
Lease.**

17 The stat. of 28. H. 8. 11. concerning the ratifying of a Lease made by a Spirituall person, of a benefice, to a Lay person, for some yerres after the lessors resignation, or death, shall not extend to leases hereafter to be made. *EX.*

Statutes made at the Parliament holden at Westmin- ster, 21. die Octobris, Anno 2. & 3. P. & M. & An. Domini 1555.

**Posythamb.
Cumberl.
Westmerl.
Durham.**

¶ 1 Commissions shall be awarded to certaine persons, to inquire what, and how many Castles, Fortresses, Villages, Houses, and Habitations, haue been decayed within the counties of Posythumberland, Cumberland, Westmerland, and the Bishopricke of Durham, and by whom & what meanes: and how many are meet to be reedified, and how many are fit to bee made of new, and in what places: and what parts of the said Counties and Bishopricke bee apt to be inclosed, and conuerted to tillage, or other necessarie manurance: and what persons be owners, lords, fermors, and possessors of the same, or claime any interest therein, and what estates they haue: And thereupon to take such order for the reedifying of such Castles, Houses, &c. and for the new erecting of others, and for the inclosing such parts, as shall be thought conuenient. *EX.* &c. 4. Iac. 1. *EX.* 23. Eliz. 4.

4. Ed. 6. 5.
5. El. 2.
39. El. 1.

2 A Confirmation of the Statute of 4. H. 7. 19. touching maintaining of houses of husbandrie, and land convenient for the upholding of Tillage. Commissions shall be awarded to contrarie persons, to inquire, heare, and determine all defaults and offences committed since Ann 20. H. 8. or hereafter to be committed, contrarie to the tenor of the said Statute of 4. H. 7. and the Statute of 7. H. 8. 1. Which Commissioners shall and may bind by Recognisance in good summes of money to the King and Queens vse, the persons offending in any decayes or defaults, for the reedifying of decayed houses, for the conuerting of pasture into tillage againe, and for the destroying and diminishing of Conies in a ground in or neere any cozne field, not being lawfull warren. R. 5. Eliz. 2.

7. Jac. 8. 1
13. El. 25.

3 For threescore share sheepe kept in any severall ground, & for ten beasts there fed, shall be kept one milch Cow. And for five score share shep shall be reared one Calse yearly. AB. Cattell 3. 4.

Cattell.

4 The payment of the first fruits of Spirituall livings to the Queene shall cease. The yearly tenths heretofore payed to the Queens by the Statute of 25. H. 8. 3. shall bee employed to other good vles. Parsonages impropriate, Tythes, Glebe Lands, and other Ecclesiastical livings, renounced by the Qu. But this Act shall not extend to Tenths reserved vpon Letters Patents. R. 1. Eliz. 4.

First fruits.
Tenths.

5 The stat. of 22. H. 8. 12. & 3. & 4. Ed. 6. 16. concerning Beggars, Vagabonds, and idle persons, shall be put in execution. Reliefe for the aged and impotent poore in euery Parish, shall be gathered weekly, of the charitable deuotion of the inhabitants. R.

Poore.
Vagabonds.

6 Purueyors Commissions for the taking of victuals, shall endure but five moneths. In their commissions, the counties where they shall take, and the portion, and number of the victuall to be taken, shall be expressed. Purueyors dockets shall be deliuered to the high Constables, and to the Just. of P. AB. Purueyors 25. &c.

Purueyors.

31. El. 12.

7 In all faires and markets a place shall be appointed for the sale of horses. When, where, & of whom sol shall be taken for horses. How they shall be ridden and shewed. A note shall be taken of horses sold in a faire. AB. Faies 4. 5. 6.

Horses.

5. El. 17.
18. El. 9.
29. El. 5.

8 Highwaies shall be verely amended, plough-holders and cotagers shall be charged towards the repairs of them. Surueyors of that worke, their duty and accompt. AB. Highwaies 1. &c.

Highwaies.

9 Euerie licence or placard made to any person for the hauing or keeping of any botwling allies, dicing houses, or other vnlawfull games, shall be void. R.

Placards.

1. & 2. P. &
M. 13.

10 Iustices of peace shall examine those persons arrested of felonie, which they do commit to prison, & shall bind their accusers to giue euidence against them. AB. Iustice of peace 107.

Prisoners.

5. Ed. 6. 8.
4. & 5. P. &
M. 5.

11 A Clothier shall haue but one woollen loome, a Weauer not aboue two, a Fuller or Tucker shall haue none. No man shall be a weauer, but which hath bin an Apprentice. AB. Draperie 69. 70. 71. 72. 73.

Woollen loomes.

12 Clothes made in the countie of Somerset to be put to sale, shall be first viewed, searched, & sealed, in Bridgewater, Taunton, or Chard. AB. Drap. 41.

Clothes.

3. Ed. 6. 7.

13 The inhabitants of Halifar may buy wooll, and sell the same againe. AB. Halifar. Wools 5.

Halifar.

14 It shall be lawfull to the Doane and Chapter of Hereford, within viij. yeares next to reedifie foure sufficient mills, viz. two cozne mills, and two fulling mills, vpon the Riuier of Wye, in or neere vnto the place where foure old mills did stand. R.

Hereford.
Mills.

13. El. 1.

15 Purueyors shall not take cozne or victuals in Cambridge, or Oxford, Purueyors.

or

King Philip and Queene Marie.

02 within five miles thereof. AB. Purueyours 32.

Watermen.

16 There shall be eight overseers of watermen rowing betweene Granes end, and Windsor, and what their office and dutie shall be AB. Boarmen 1. &c. 1. Jac. 16. 6. H. 8. 7.

Bennet Smith.

17 The benefit of Clergie shall be taken from Bennet Smith, for being accessarie to the murder of Giles Rufford, before the murder committed, and for procuring of the same. R. 4. P. & M. 4.

Commissions

18 A commission of the peace, or Gaole delivery, awarded into the countie, shall not be Superledeas to a former like commission granted to a citie or towne corporat of the same shire. AB. Iust. of peace 109.

Polwiche.

19 A reuier of the Stat. of 22. H. 8. 11. which maketh it felonie to cut downe new Polwiche in Parthland in Dorsetholke, notwithstanding the Stat. of 1. Ed. 6. 12.

Duchie land.

20 All Honoris, Manors, lands, tenements, and hereditaments, which at any time since 28. die Januarij, añ 1. Ed. 6. were parcell of the possessions of the Duchie of Lancaster, or which were united to the same by authoritie of Parliament, Letters Patents, or otherwise, and which at any time since have bene granted, aliened, sold, exchanged, or seuered from the said Duchie, by the said King Edward the first, or by the King or Qu. that now be, and which sithence such grants or seuerance bene returned againe to the hands of the said K. Ed. the first, or to the King or Queene in possession, reuerfion, remainder, or ec. by attainder, escheat, purchase, or otherwise, & which now remaine in the hands of the King and Queene, of any estate of inheritance, shall from the time the same came and reverted, be united to the Duchie of Lancaster, and shall be adjudged for ever as parcell of the same. And all grants and leases of those lands, shall be made vnder the Duchie Seale. It shall be lawfull to the K. and Qu. and to her heires and successours, by their Letters Patents vnder the great Seale, to annexe to the said Duchie of Lancaster, any Honoris, Manors, Lands, &c. not exceeding the yearely value of 2000. l. So that they be no parcell of the ancient inheritance of the Crowne, or of the Principallitie of Wales, or of the Duchie of Cornewall, or of the Carledome of Chester, or lying within the counties of Chester or Flint. 37. H. 8. 16.

Continuance of Statutes.

21 Seuerall Statutes made in the raignes of K. H. 8. K. Ed. 6. & R. M. renued, and continued until the last day of the next parliament. EP.

Subsidie Clergie.

22 The confirmation of a Subsidie of vij. s. in the pound, granted by the Clergie to the K. & Qu. to be payed in thre yerres. EP.

Subsidie Temporalitie.

23 A confirmation of a Subsidie granted to the K. and Qu. by the Temporalitie. EP.

Statutes made at the Parliament holden at Westminster

20. die Januarij, Anno 4. & 5. P. & M. & Anno Dom.

1557.

Patents.

¶ 1 A confirmation of all Letters Patents, and other writings, made by the K. and Qu. or by the Qu. sithence 7. Iulij, Añ 1. M. or to be made 7. yeares after: And also of all assurances made by any person of any lands, tenements, &c. to the K. and Qu. AB. Patents 23. 1. & 2. P. & M. 1.

Armoz.

2 So much of euerie Stat. heretofore made as do concerne onely the finding or keeping of hoise or armoz, & euerie penaltie and forfeiture touching only the same shall bee repealed. What number, rate, and proportion of hoises, armoz, and weapons, each person is bound, and chargeable to keepe, in any respect, or for any cause. EP. 1. Jac. 25.

Souldier.

3 The penaltie for a souldier to depart from his Captaine without licence:

02

or for not appearing at musters, or for not bringing his best furniture. And of a Captaine for taking of money to release any person, being at the musters, or in service: or to demand more wages than is due. AB. Capitaines 3. 12. 14. 15. Captaine.

2. & 3. P. & M. 17.

4 No person shall have the benefit of Clergie which commaundeth, hireth, or counselleth another to commit any petit treason, robbery, murder, &c. AB. Clergie 6. Clergie.

5. Ed. 6. 6.

5 The length, breadth, & weight of severall sorts of woollen clothes. The penaltie for default thereof. The searching, sealing, and marking of woollen clothes. In what places only such clothes as are to be sold may be made. AB. Draperie 5. 6. 10. 11. 12. 13. 14. 19. 24. 27. 33. 34. 36. 37. 38. 39. 42. 43. 53. 56. 62. 64. 75. 76. 77. 91. Clothes.

1. M. 7. 18. Eliz. 15.

6 Every person borne under the dominion of the French king, not being denizen (other than such as the king and queene wil licence to remain) that depart this Realme, and not returne during the warres betwene the French king, and the king and queene. The king and queene during the queenes life may upon any misdemeanoz poned, repeale by Proclamation any letters patents made to any French man to be free denizen, thence Ann 32. H. 8. And then the queene shall have the said denizens lands during his life, but his heire shall enjoy it after his death. EXP.

7 A Tales de Circumstancibus shall be granted upon request in a suit commenced upon any penall statute. AB. Jurors 24. Tales.

8 The penaltie for taking away a maid under xvj. yerres of age, without her gouernours consent, or for deflowring, or contracting matrimony with her. And her forfeiture for consenting. AB. Women 6. & c. A maid abused.

9 Severall statutes made in the raignes of H. 8. H. 6. and Q. M. renewed, and continued untill the last day of the next parliament. EXP. Stat. contin.

10 A confirmation of a subsidie of viij. s. in the pound, granted by the clergy to the king and queene, to be payed in foure yerres. EXP. Subsidie.

11 A confirmation of a subsidie, and one fifteene, granted to the king and queene by the Tempozaltie. EXP. Subsidie.

Queene Elizabeth.

Statutes made at the Parliament begun at Westminster

23. die Ianuary, Anno 1. Reg. Eliz. & Anno Dom.

1558.

Repeale of
Statutes.

Reuiner of
Statutes.

fozeine
power.

Ecclesiasticall
Commission.

The booke of
comon prayer

Q. Elizabeth.

First fruits,
Tenth.

Patronages
of vicarages.

A Repeale of the Statute of 1. & 2. Phil. & Mar. 8. by which all Statutes, Articles, and Prouisions, made against the See Apostolicke of Rome were made void: And of the Statute of 1. & 2. P. & M. 6. that reuied the Statute of 5. R. 2. 5. 2. H. 4. 15. & 2. H. 5. 7. prouided for the punishment and repressing of Heresies, Heretiks, and Lollards, and of the said three Statutes. A reuiner of the Statute of 23. H. 8. 9. touching Citations: And of the Statute of 24. H. 8. 12. concerning Appeals: And of the Stat. of 25. H. 8. 20. restraining the payment of the first fruits of Bishops to the See of Rome: And of the Stat. of 25. H. 8. 19. touching the Clergies submission to the King: And of the Stat. of 25. H. 8. 20. concerning the election and consecrating of Bishops: And of the Stat. of 25. H. 8. 31. touching exonerating the kings subiects from impositions paid to the See of Rome, and for hauing of dispensations within this Realme: And of the Stat. of 26. H. 8. 14. touching the nomination and consecration of Suffragans: And of the Statute of 28. H. 8. 16. ordained for the release of those that haue obtained licence from Rome: And of so much of the Statute of 32. H. 8. 38. as was not repealed by the Stat. of 2. Edw. 6. 23. And of the Stat. of 37. H. 8. 17. touching Doctors of the Civile Law: And of the Statute of 1. Ed. 6. 1. prouided against those which speake vnreuerently of the Sacrament of Christs bodie. All fozeine power shall be abolished. The penaltie for maintaining it. Ecclesiasticall iurisdiccions annexed to the Crowne. Commissioners shall be assigned to execute Ecclesiasticall authority. What may be adiudged Heresie, & what not. The oath for the renouncing fozeine authoritie. Who shall be bound to take it. And the penaltie for refusing it. AB. Crowne &c. 2. &c.

2 The booke of Common prayer, and administration of Sacraments, set forth An 5. & 6. Ed. 6. 1 with some alterations, shall stand in force. And all ministers shall vse the same, and none other. The penalty for deprauing the same booke, and for vsing, or causing others to vse any other forme of prayer, and for not comming to the church. AB. Sacraments 2. &c.

3 Queene Elizabeth is, & in verie deed, & of most meere right ought to be, by the lawes of God, & the lawes & Stat. of this Realme, our most rightfull & lawfull liege Ladie, & is lineally, rightfully, and lawfully descended of the bloud royall of this realme, according to the limitation and succession of the crowne of this Realme, mentioned in the Stat. of 35. H. 8. 1. EXP. 25. 8. 22.
28. H. 8. 7.

4 A reuier of the Stat. of 26. H. 8. 3. whereby the first Fruits and Tenths of spirituell livings were given to the king. So much of all and enerie of the Statutes of 26. Hen. 8. 17. 27. Hen. 8. 8. 28. H. 8. 11. 32. H. 8. 22. 32. H. 8. 45. 32. H. 8. 47. 34. H. 8. 2. 34. H. 8. 17. 37. Hen. 8. 21. 2. Edw. 6. 20. 7. Edw. 6. 4. Of any other Statute touching the order, leuying, true answering, or qualification of the said first Fruits and Tenths, and of the Rectories, Parsonages and benefices impropriat, and of the rents and profits thereof, and the charge, discharge, and alteration of them, or any thing tending thereunto, which were in force and vnrepealed, at and befoze 8. die Augusti, Anno 2. & 3. Phil. & Mar. shall be, and continue in force, and be obserued and put in execution, according to the purpozts of the same. And the Queene, her heires and successors, shall haue for ever the aduowsons, gifts, and patronages of all vicarages incident or belonging to the said parsonages impropriat, in the same sort and degree to 2. & 3. P. &
M. 4.

to all intents, as the same were in the possession of the late Queen Marie, before the said 8. day of August. AB. Ecclesiasticall &c. 27.

1. & 2. P. & M. 10.
13. Eliz. 1.
26. Eliz. 1.

5 If any person shall compass or imagine to deprive the Queene, or the heires of her bodie to be begotten, being King or Qu. of this realme, from the stile and kingly name of the crowne of this Realme: Or to destroy the Qu. or any the heires of her bodie, being King or Queen: Or to leue war against the Queene, or any the heires of her bodie, within her Dominions: Or to depose the Queene, or any of the heires of her bodie, &c. from the Imperiall Crowne of this realme: and the same imaginations shall utter by open words &c. Or shall publish, or directly say, That the Queene, during her life, is not, or ought not to be Queene: Or that after her death, the heires of her bodie ought not to be King or Queene: Or that any other person ought to be King or Qu. so long as any of the heires of her bodie shall bee in life: Then such offenders shall forfeit to the Queen all his goods and cattels, and the profits of his lands during his life. And if any person or persons shall by writing, printing, ouert deed or act, commit any of the offences aforesaid, it shall be adjudged high treason. XP.

The Titles

Treasons.

23. Eliz. 2.

6 The penaltie mentioned in the Stat. of 1. & 2. P. & M. 3. for speaking false and slanderous newes of the K. or Qu. or for committing any of the offences expressed in the said Act, shall be expounded to extend to the Qu. that now is, and to the heires of her bodie. XP.

Newes of the Queene.

7 A reuier of the Stat. of 23. H. 8. 16. making it felonie to sell, exchange, or deliuer within Scotland, or to the vse of a Scottish man, any horse, &c. XP. 4. lac. 1.

Scotland. horses.

8 A reuier of the Statute of 5. & 6. Ed. 6. 15. limiting what persons (and for what purposes) may buy and ingrosse tanned leather, and sell the same againe, and who not. And a repeale of the Statute of 1. M. 8. touching Curriers, Shoomakers, &c. The Currier shall deliuer to the Shoomaker the leather curried, which hee received of him, within five dayes in Summer, and tenne dayes in Winter, if hee may conveniently do it. No Shoomaker shall make any shoes or boots of any neats leather mingled, but onely of it selfe. XP. 5. Eliz. 8.

Leather.

Currier.

Shoomaker.

9 No person hauing tenne pounds land, or rent, shall vse, or haue profit by the Myserie of Tanning of Leather, but an Apprentice, or a couenant servant brought up in that Trade foure yeares: Neither shall any vse that Trade but in a Citie, Borough, Towne, or Market Towne, where sellers shall be usually appointed, vntlesse hee hath bene an Apprentice, or a couenant servant foure yeares, or the sonne and heire, or wife of a Tanner: Raw hides, Calue skins, tanned Leather red and untwought, shall not bee bought or sold, but in open Faire or Market. Two pceces called Wombes, shall be cut off euerie hide, to bee conuerted to sole Leather, commonly called Backes. Both the Backes and Wombes shall bee brought to Faires & Markets to be sold. Searchers and Sealers of Leather shall register all bargaines for leather made in Faires or Markets. The Stat. of 2. & 3. Ed. 6. 11. renewed. XP. 5. Eliz. 8.

Leather.

14. Eliz. 4.

10 It shall bee felonie to conuey, or procure to be conueyed, into any Ship, or other vessel, any Leather tanned or untanned, or any salt, or untanned Hides, or any Backes, or sole Leather, or any Tallow, to the intent to transport the same ouer the Sea to be sold, by way of merchandize. XP. 18. Elizabeth 8.

Transport Leather. Tallow.

11 At what time of the day, and at what places merchandize shall be laden or unladen. The Master of the Ship shall giue notice to the Customer of his departing

Merchandize.

Queene Elizabeth.

- departing. And the Cusomer shalbe aduertised of all Merchandizes brought in. AB. Merchants 5.6.7.8. No man shal enter goods into the Cusomers booke in another mans name. The custome of sweet wines. AB. Customs 5.18.
- Linnen.** 12 The penaltie for stretching or impairing of linnen cloth. AB. Linnen 2.
- Ships.** 13 A repeale of the Stat. of 5.R.2.3. & 4.H.4.10. prohibiting the bringing in, or carrying merchandizes forth of this Realme, but in English ships. Euerie person being owner of any goods, which in the time of peace shal ship or discharge by way of merchandise any wares or merchandizes (except Spices, Rasse, Pitch, Tarre, or Cozne) out of, or into any ship, whereof the Qu. or some of her subiects be not possessors, proprietaries, and masters, and the mariners for the most part subiects to the quene, shall pay such custome, and subside for the same merchandize, as aliens bozne out of the quenes obedience. There shall be no crossing of the sea with any hoy, or plate, being an English subiects. 5.5.El.5. & 13.El.15.
- Draperie.** 14 Which of the inhabitants of Bocking, Weathersfold, Cokshall, and Dedham, in the countie of Essex may vse the making, weaving, or colwing of cloth or kersie, as they might haue done befoze the Stat. of 4.& 5.P.&M.5. AB. Draperie 79.
- Pyon.** 15 What timber trees growing, in which places, shall not be conuerted to coales, or other fuel, for the making of pyon. AB. Yron 1.2.
- Unlawfull assemblies.** 16 The Stat. of 1.M.1. made against unlawfull assemblies, shalbe in force during the Quens life, and to the end of the next parliament then next following, and shall extend to the Qu. as it did to queene Marie. EX.
- Fish.** 17 The penaltie for taking of the spawne or frye of any fish, or for taking of Salmones or Trouts not seasonable. The length of fish which may be taken. Of what make euerie net must be. AB. Fish. 3.4.5.6.
- Statutes.** 18 Generall Statutes made in the raignes of king H.8.H.6. and queen Marie reuiued, and made to endure vnto the end of the first session of the next Parliament. EX.
- Tonnage.** 19 A Subsidie of Tonnage and Pondage, graunted to the Qu. during her life, payable out of diuers merchandizes. EX.
- Subsidie.** 20 The confirmation of a Subsidie and two fifteenes granted to the Qu. by the Tempozaltie. EX.

Statutes made at the Parliament holden at Westminster

12. die Ianuarii, Anno 5. Reg. Eliz. & Anno

Dom. 1562.

- Rome.** 1 The penaltie for maintaining the authoritie of the Bishop, or See of Rome. AB. Rome 1. Certaine persons bound to take the oath ordained 1. Elizabeth. 1. for the abolishing of fozeine powers. The seuerall penaltie for the first and second refusall thereof. Who haue authoritie to tender the same oath the first or second time, and to what persons. The exposition of the oath. AB. Crown &c. 5. &c.
- Husbandrie.** 2 The Statute of 4.H.7.19. 7.H.8.1. 27.H.8.22. & 28.H.8. ordained for the keeping in repaire towne, and houses of husbandrie, and maintaining of tillage, shall be put in execution. The Stat. of 5. & 6.Ed.6.5. & 2.& 3.P.&M.2. provided for the reedifying of houses of husbandrie, and the increase of tillage, shall be repealed. Such lands or so much in quantitie, as in any towne, village, hamlet, lordship, place knowne, or parish, hath bene put in

in tillage and eared in any one yeare, and so kept foure yeare, thence the feast of Saint George the Partir. Anno 20. Hen. 8. Halbe eared and kept in tillage according to the nature of the soile, and custome of the Country, by the occupier thereof, vpon paine that every offendor shall forfeit x. s. an Acre yeately, to the next in Remainder or Reversion for the time of life, liues, or in taile: for the which he may distraine, or haue A. B. P. or I. And in his default by the space of one yeare, then he in the Reversion or Remainder in fee simple shall haue the same remedie. And in his default the immediate Lord of the fee, And in his default the A. or the A. and Inlawer. But this Act shall not extend to any Land conuerted from Tillage into Pasture for the onely keeping of his owne horses, draught Oxen, kine or other cattle for the onely vicuals to be spent in his owne house, so that he hath not other sufficient pasture within v. Miles: For to any parke, warrein of conies &c. vt supra. 5. Ed. 6. RP. 39. Eliz. 7.

3 A Reuener of the Statute of 22. Hen. 8. 12. and 3. & 4. Ed. 6. 16. touching relieving Poore, and impotent persons, and punishment of Vagabonds. The Poore and Impotent persons of euery Parish shalbe relieved of that which euery person will of their charitie giue weekly. And the same reliefe shall be gathered in euery Parish by Collectors assigned, and weekly distributed to the Poore, for none of them shall openly goe or sit begging. And if any Parishioners shall obstinately refuse to pay reasonably towards the reliefe of the sayd Poore, or shal discourage others: Then the Iustices of peace at the Quarter Sessions may take him to a reasonable weekly summe, which if he refuse to pay, they may commit him to Prison. And if any Parish haue in it moze impotent Poore persons then they are able to relieue, then the Iustices of peace of the County may Licence so many of them as they shall thinke good to begge in one, or moze Hundreds of the same Countie. And if any Poore beg in any other place then he is Licensed, he shalbe punished as a Vagabond, according to the Statute of 22. Hen. 8. RP. 14. Eliz. 5.

Poore.
Vagabonds.

4 A Repeale of so much of all former Statutes as doe concerne the hysing, keeping, departing, working, wages, or order of seruants, workemen, artificers, and labourers, and of the penalties touching the same. Certaine sciences, crafts, and occupations, wherein none shalbe retained to serue vnder a whole yeare. What sort of persons be compelled to serue in handicrafts, and what sort in husbandrie. The penalties for giuing or taking of wages contrary to this Statute, and for putting away a seruant within his terme, or without a Quarters warning, or for a seruant to depart within his terme, or without a Quarters warning. The severall duties of workemen, apprentices, labourers &c. AB. Labourers 1. &c. Inst. of Peace 66. 67. 68.

Labourers:
Seruants.
Apprentizes.

13. Eliz. 17.
27. Eliz. 15.

4. H. 7. 10.

5 It shalbe lawfull for any of the Quenes subiects to transport out of this Realme in any ships of the subiects aforesaid, any herring, and other Sea fish, to be taken vpon the Sea by any of the subiects aforesaid, and that without payment of custome. No price shalbe set, or toll shalbe taken, of Fish taken in English mens Ships. No French Wine, or Whollse woad shalbe brought into this Realme, but in the Quenes subiects Ships, sauing into the Isle of Man &c. AB. Ships 1. 2. 3. 4. 5. No Purueys shall take Sea Fish from any without the owners consent, which taketh it in an English Vessel. AB. Purueysors 24. What Herrings may be bought of strangers. Cod and Ling shalbe brought loose into this Realme, and not in barrells. AB. Fish 13. 14. Owners of Ships, Gunners, & Shipwrights may take Apprentizes. AB. Labourers 30. A repeale of so much of the Statute of 5. & 6. Ed. 6. 14. and so much of all other Statutes as doe concerne the buying of sea Fish vn salted, or mud Fish, or Wine, Oyle, or Salt to be brought into this Realme in any English mans Ship.

Sea-Fish.

English ships.

Purueysors.

Cod & Ling.

Forstallers

Queene Elizabeth.

- Eating of flesh** ship. AB. Forefallers 7. Flesh shall not be eaten vpon Wednesdaves, nor vpon any Fish daves, but by licence. EP. 27. Eliz. 11. Who may graunt licence to eat flesh vpon daves prohibited: To whom and vpon what conditions. AB. Fish-daves 1. &c. The Statute of 18. Henric 6. 19. ordained to punish Souldiers departing from their Captaines without Licence, shall extend to Mariners and Gunners. A Mariner or Fisherwoman shall not be compelled to serue as a Souldier, but in some cases. AB. Mariners 1. 2. 3. The penaltie for spreading of felwes concerning the eating of Fish, or for bearing of flesh. AB. Newes 2. The prices of wines by small measure shall be assessed by the Queenes proclamation. EP. 1. Iac 25. The Statute of 24. H. 8. 4. touching solwing of hempe & flaxe, shall be reuined in euery Countie, where the Queene by Proclamation shall publish it to be commodious. EP. 35. Eliz. 7. The seuerall prices of Cozne, when the same may be lawfully transported. AL. 1. Iac. 25.
- Mariners.**
- Newes.**
- Hempe and flaxe.**
- Cozne.**
- Selling wares vpon trust.**
- 6 Whosoever shall sell or deliuer to any person (having not in possession 7. Iac. 12. 38. Ed. 3. 51) Lands or Fees, to the cleare yearely value of 3000. l.) any forein wares, not growne or first brought within the Queenes dominions, appertaining to the Clothing or adorning of the body, for which wares, or the workmanship thereof, the seller shall not haue receiued the whole money or satisfaction in hand, or within xxvij. daves after the making or deliuey thereof: The seller, maker &c. shall be without all remedie by order of any law, custome, or decree, to recover any recompence for such wares, or the workmanship, whatsoever assurance he shall haue by bond, suretie, promise, or pawning of the partie or any other: And all assurances and bonds in that case shall be void. EXP.
- wares.**
- 7 Certaine wares which be not lawfull to be brought readie wrought, to be sold, into this Realme. AB. Merchants 3. 3. Ed. 4. 4. 1. Ric. 3. 12.
- Leather.**
- 8 Who may be a Tanner. The seuerall duties of Tanners, Curriers, and Shoemakers in their wares, and workmanships. Where, when, and by whom Leather shall be searched, sealed, and sold. Dakes shall be felled in barking time onely. A restraint of transporting of Leather. A Repeale of diuers Statutes concerning Leather, and wares made of Leather. REP. 1. Iac. 22.
- Periurie.**
- Witnesse.**
- 9 The seuerall punishments of those which shall procure, or commit wilfull periurie, AB. Periurie 1. &c. A witnesse vpon proces serued on him, and his charges tendzed, shall appeare. AB. Witnesse 1. 29. Eliz. 5. 1. Iac. 25.
- Servant.**
- 10 A Reuier of the Statute of 21. Henric 8. 7. whereby it is made Felony for a servant to imbezell his Masters goods of the value of fortye shillings or a boue. AB. Stealing 1. 27. H. 8. 17.
- Money.**
- 11 The clipping, washing, rounding, or filing for gaines sake, of any money currant within this Realme shall be high Treason. AB. Treason 5. 18. Eliz. 1.
- Badger.**
- 12 To what kind of person, and at what place, Licence shall be granted to be a Badger, Kidder, Drouer, &c. AB. Badger 1. &c. 13. Eliz. 25. 5. & 6. Ed. 6.
- waies.**
- 13 The Statute 2. & 3. P. & M. 8. Touching the amending of high wayes continued: And seuerall authorizities added to the superuisors of the highwaies for the amending of them. AB. Highwayes 1. &c. 14. 29. Eliz. 5. 18. Eliz. 9.
- Forging.**
- 14 The seuerall penalties for forging of debtes, the first, or second time, whereby anothers freehold, lease, annuitie, obligation, release &c. shall be troubled, claimed &c. AB. Forging 1. A repeale of all former Statutes made for forging of debtes, writings, &c. and for the penalties of the same. 1. H. 5. 3.
- Prophecie.**
- 15 The penaltie for publishing any false and phantastickall Prophecie vpon Armes, Fields, Badges, &c. to the intent to make Insurrection, dissention, &c. AB. Prophecies 1. 33. H. 8. 14. 3. & 4. Ed. 6. 15.
- Coniuration.**
- 16 The seuerall penalties of Coniuration, or Inuocation of wicked spirits, and of witchcraft, enchantment, charme, or sorcerie. EP. 1. Iac. 12. 33. H. 8. 3.

2 E. 6. 26.

17 A Reuiner of the Statute of 25. H. 8. 6. whereby the committing of bug, Buggerie.
gerie with mankinde, by beast is made felony. AB. Buggerie 20

18 The authoritie of the Lord Keeper of the greatesse of England, and L. Keeper.
of the Lord Chancelor is, alwayes was, and ought to be one,

19 In the Statute of 1. Ed. 6. 5. touching carrying of Horses out of this Horses.
Realme, this Prouiso shalbe repealed, viz. (for their onely occupation in their
iourneys, and not to the intent to sell.) And the residue of the said Statute con-
firmed. AB. Horses 14.

33. H. 8. 10.
1. & 2. P. &
M. 4.

20 It shalbe Felonie to be leene in the company of whole which call them- Egyptians.
selues Egyptians, or disguising themselves in their apparell or speech, to con-
tinue with them one moneth. AB. Egipcians 2.

31. H. 8. 2.
3. Jac. 13.
7. Jacob. 13.

21 The penalties for breaking or cutting out the head of any pole, moat, Fish.
Kew, &c. or for wrongfull taking therein: or for hunting in a park: or for ta- Deare.
king of Haulkes, or hankes eggs out of anothers ground. AB. Fish 7. Haulkes 1.
Haulkes 1.

22 To what purpose pelts may be made, and to what end any may buy the Pelts.
Skin of a Stag, Hynde, Bucke, Doe, Goate, Fatone, or Kid. AB. Leather 49.
Whosoener shall ship any Shepkins, wolfsels, moylings, moylings, or the
Skins of any Stag, Hynde, Bucke, Doe, Fatone, or Kid, or the Leather made
of any of them, to the intent to transport them, shall forfeit them and ij. s. vi. d.
for every sell. 8. Eliz. 14. For the Sheepe-skins and Lambe-skins onely.

23 The order of a warning and returning the wyte of Excommunication capi- Excommuni-
endo. What is to be done if the Excommunicate appeare, and what if he be not cation.
found. The cause of Excommunication whereby the wyte is to be awarded. AB
Excommunication 1. &c.

13. Eliz. 25.

24 The Statute of 23. Henric 8. 2. touching the making and repaying of Gaoles.
Gaoles, shalbe reuined, and continue ten yeares. And the Justices of peace in
the Counties of Pembroke, Glamorgan, Cardigan, Radnor, and Pountgome-
ry in Wales, shall have power to doe and execute all things concerning the
new making of Gaoles, as the Justices, & other persons mentioned in the said
Statute. 8.

35. H. 8. 6.
2. Ed. 6. 2.

25 In certaine cases a Tales de circumstantibus is to be granted by the Tales.
Justices at the great Sessions in the twelue shires in Wales, and in the coun-
ties Palantine of Chester, Durham, and Lancaster. AB. Jurors 23.

26 Inrolments of writings indented of any bargain of manors, lands &c. Inrolment
lying within the Counties of Lancaster, Chester, and Bishoprick of Durham in Chester,
being made within vi. monethes after the date thereof, in the Courts of the Lancaster,
same Counties, shalbe good in Law. AB. Inrolment 4.

27 Fines leuied befoze the Justices of the County Palantine of Durham, Fines in
of lands lying in the same County shalbe good. AB. Fines 12. Durham.

28 The Bishops of Hereford, &c. Dauides, &c. shall take order that the Bi- Bible in
ble, & booke of Common prayer, and administration of the Sacraments, shalbe Welsh.
translated into the Welsh tongue: And that one of the same may be had in e-
uerie Parish Church: And also a Bible &c. in English shalbe in euerie Church
there. AB. Wales 125. 126.

29 The confirmation of a Subsidie of vi. s. in the pound, granted to the Subsidie.
R. by the Clergie, to be payd in three yeares. 8.

30 A Subsidie and two Fifteenes granted to the R. by the Tempozaltie Subsidie.
EXP.

31 The R. generall and free Pardon confirmed by Parliament. Except &c. Pardon.
EXP.

Statutes

Queene Elizabeth.

Statutes made at the Parliament holden by

prorogation at Westminster, 30, die Septembris,

An. 8. Reg. Eliz. & An. Dom.

1566.

Bishops.

¶ 1 All Acts heretofore made or done by any person, in, or about the consecration, confirmation, or inuelling of any person, elected to the dignitie of an Archbishop, or Bishop, by vertue of the Qu. Letters Patents, or Commission, sithence the beginning of her Raigne shalbe aduudged good. AB. Bishops 5.

39. Eliz. 8.

Costs and damages

¶ 2 The Defendant shall recouer costs and dammages where the Plaintiff doth delay his suite, doth discontinue, or is nonsuit. The peneltie for arresting of any person at anothers suit, not knowing thereof. AB. Damages 1. 2. 3. 4.

23. H. 8. 15.
4. Jac. 3.

Sheepe.

¶ 3 The peneltie for deliuering, or receiuing into any Ship, or Bothom, any Sheepe being alive, to be conueyed out of this Realme. AB. Sheepe 1. 2.

3. H. 6. 2.

Clergie

¶ 4 He which taketh priuily money or goods from the person of any other, not knowing thereof that not be allowed his Clergie. He that is allowed his Clergie shall answere to former offences. AB. Clergie 1. 18.

18. Eliz. 6.
25. Ed. 3. 5.

Delegates.

¶ 5 A Sentence definitive in a ciuil and marine cause by Delegates appointed by commission shalbe final. AB. Appales 8.

Clothes.

¶ 6 For euery nine Clothes bntwrought caried ouer Sea by Licence, there shalbe one cloth wrought transported of like sort, length, bredth, and goodnesse. Kentish and Suffolke Cloth shall not be transported bntwrought by Licence. AB. Draperie 102. 103.

Clothes in Shyrewsburie

¶ 7 No person inhabiting in Shyrewsburie, or the liberties thereof (other then such as haue serued in the occupation of Drapers, or is free thereof) shall occupie the trade of buying of Welsh Cloth, or lyming cottons, freezes, and plains, nor haue any Factor for him in the same. RP. 14. Eliz. 1. 2. Occupiers of Welsh Cloth shall pay the Sheareman readie money, No retailer of freezes, cottons, or plaines in Shyrewsburie shall worke the same. AB. Draperie 55. 56.

4. & 5. P. & M. 5.

Horses.

¶ 8 A Repeale of so much of the Statute of 32. H. 8. 13. as doth concerne the height of Horses feeding vpon any of the marish leggie grounds in the Counties of Huntington, Cambridge, Portsmouth, Lincoln, Dorset, Suffolke or the Isle of Ele. And of what height the horses feeding in any of those marish grounds shalbe. AB. Horses 3.

Wessels.

¶ 9 A Repeale of so much of the Statute of 23. H. 8. 4. as concerneth the prices of vessels for Ale and Beere. Iustices of Peace, and head officers in corporate Townes, shall assesse the prices of vessels for Ale and Beere. AB. Cowpers 1.

Bowes.

¶ 10 A Repeale of so much of the Statutes of 22. Ed. 4. 4. 3. H. 7. 13. & 33. H. 8. 9. as doth concerne the prices of Bowes. A Bowyer dwelling in London or the Suburbes shall haue long Bowes of Elme, &c. The prices of Bowes. AB. Bowes 4. 5.

1. Jac. 25.

Hats & caps.

¶ 11 None shall worke Hattes with fozeine Woll but which hath beene an Apprentice. The making, dying, thicking, and fulling of Caps. How many Apprentices a maker of Hats may take. AB. Hattes 1. 2. 3. Who may search hats and caps in London, and correct the offenders. AB. Corporations 18. None vnder the degree of a Knights or Lords son, may weare a hat, or vpper cap of Velvet, or couered with Veluet. RP. 1. Jac. 25.

1. Jac. 17.

Lancashire clothes.

¶ 12 The owners marke, & the Aylmagers seale shalbe put to clothes made in the County of Lancaster, befoze they shalbe sold, or caried forth of the County

34

In what Towne in Lancashire the Aulnager shall haue a deputie. The Aulnagers fee for euery Cloth. Of what length, bredth, and weight, cottons, freezes, and rugges made in Lancashire shalbe. AB. Draperie 3.4.95.96. A Repeal of euery bzanch contained in any Statute heretofore made concerning the making, and sealing of the said cottons, freezes, and rugges.

13 The Master, Wardens, and Assistants of the Trinitie house at Deptford Strond, may at their costs from time to time, erect such, and so many beacons, marks, and signes for the sea, in such places of the sea shores, and bplands neere the sea coasts, onely for sea markes, as to them shall seeme requisite. And the same shalbe continued, and renewed at their costs. R. Sea markes.
Trinitie house

14 A Repeale of so much onely of the Statute of 5. El. 22. as concerneth the transporting of tawed Leather of sheepe-skins, and Lambe-skins. Leather.

15 That bzanch onely of the Statute of 24. H. 8. 10. shalbe reuined, which concerneth the prouision, vse, and maintenance of nets, and shapies for the destruction of Crowes, &c. Seuerall rewards assigned for the taking, and bzinging of the head, and egg of diuers rauenuous birds, and vermin. EXP. Crow-nets.

13. Eliz. 22. 16 The Shiriswicke of seuerall Counties diuided into two Shirifes, Shiriswick, which befoze had but one. AB. Sherifes 29. 30.

17 A Confirmation of a Subsidie of iiij. s. in the pound graunted to the Qu. by the Clergie to be payed in thzee yeares. EXP. Subsidie.

18 The Queenes free and generall pardon confirmed by Parliament. Cr. Pardon. cept &c. EXP.

19 A graunt by the Tempozaltie to the Queene of one Subsidie, and of one fifteene and Tenth. EXP. Subsidie.

Statutes made at the Parliament begun at Westmin-

ster, 2 die Aprilis Anno 13. Regina Elizab.

& Anno domini

1571.

T 1 It shalbe high Treason to intend destruction, or bodily harme to the Queene, or to leuie warre, or to moue others to warre against her: or to affirm that the Queene ought not to inioy the Crowne, but some other person: or to publish that the Queene is an hereticke, schismaticke, tyran, infidel, or vsurper of the Crowne: or to claime right to the Crowne: or to vsurpe the same during the Queenes life: or to affirme the right in succession of the Crowne in some other then the Qu. or to affirme that the Lawes and Statutes doe not bind the right of the Crowne, and the discent, limitation, inheritance, and gouernance thereof. Whosoener shall during the Queenes life, by any Booke, or worke witten, or printed, expressely affirme (befoze the same be established by Parliament) that any one particuler person is, or ought to be heire and Successor to the Queene, except the same be the naturall issue of her body: or shall wilfully set vp in open place, or spread any bookes or scrowles to that effect: or shall print, binde, or put to sale, or vtter, or cause &c. any such Booke, or witting, be his abettors, and Counsellors, shall for the first offence be a whole yeare imprisoned, and forfeit halfe his goods; and for the second offence shall incur the penaltie of Praemunire. EXP. Treason.

2 The seuerall penalties for giuing, or taking of Absolution, by force of any Bull, or other instrument from the Bishoppe of Rome: or for concealing such Absolution, Bull, or Instrument offered: or for bzinging into this Realme or receiuing any Agnus Dei, Pictures, Crosses, Beades, from the Bishop or The Crowne Absolution.
Rome.

D ij

Sea

1. Ed. 6. 12.
1. El. 5.
1. & 2. P. &
M. 10.
26. H. 8. 13.
5. Ed. 6. 11.

Queene Elizabeth.

- Fugitiues.** 3 If any bozne within this Realme, or made free Denizen, hath departed or shall depart the Realme, without the Queenes Licence, vnder the Great or Priuie Seale, & shal not returne againe within six Moneths after warning by Proclamation, he shall forfeit to the Queene the profits of all his Lands during his life, and also all his goods and Cattles. The like penaltie he shall sustaine, which hauing Licence, shall not returne within six Moneths after his Licence expired. The Offendor shall haue restitution vpon submission. Fraudulent assurances made by Fugitiues of their Lands, and goods, to de- ceiue the Queene, shall be void. EXP. 5. Ric. 2.2. 14. Eliz. 5.
- Accomptant to the King.** 4 Treasurers, Receiuers, and other accomptants Lands, shall be liable to the payment of the Queenes debts. In some cases the Queene may sell the Accomptants Lands. The Queenes Remedie where the Accomptant purchaseth Lands in other mens names. AB. Accomptants to the King 29. 30. &c. 14. Eliz. 7.
- Fraudulent deeds.** 5 All fraudulent conueyances made to auoid the debt, or dutie of others, shall be voyd. The penalties of such which be parties to such fraudulent assurances. AB. Fraudulent &c. 1. 2. 2. R. 2. 3. 3. H. 7. 4. 29. Eliz. 5.
- Exemplifications.** 6 An Exemplification of the Inrolment of the Qu. Letters patents vnder the great Seale, shall be of the same value, as if the said Letters patents were pleaded and shewed. AB. Exemplification 1. 3. Ed. 6. 4.
- Bankrupt.** 7 Who shall be said a Bankrupt. Commissioners shall take order with his bodie, Lands, and goods, for the payment to euery of his Creditozs a portion. AB. Bankrupts 1. &c. 33. H. 8. 4. 1. Iac. 15.
- Usurie.** 8 The Statute of 37. Hen. 8. 9. Reuiued: And the Statute of 5. Ed. 6. 20. Repealed, which were made against Usurie. The forfeiture where about ten pounds shall be reserved for the lone of an hundred pounds for one yeare, and where lesse. The penaltie of Brokers, and diuers of vsurious bargaines. AB. Vsurie 6. &c. 39. Eliz. 18.
- Sewers.** 9 How long a Commission of Sewers, and how long the Commissioners orders shall indure in force. In some case the Iustices of Peace shall execute the Commission. There shall be no Certificat of the Commission, or the Commissioners orders. A fermor of lands chargeable shall not be Commissioner within the same precinct. AB. Sewers 12. 15. 16. 3. Ed. 6. 8.
- Dilapidations.** 10 Fraudulent deeds made by Spirituall persons to defeat their Successors of remedie for Dilapidations shall be void. AB. Dilapidations 1. What conueyances, and for how long time, Spirituall persons may make of their Lands, tithes, &c. AB. Ecclesiasticall &c. 7. 14. Eliz. 11.
- Sea fish.** 11 A Reuiuer of so much of the Statute of 5. Elizabeth 5. as concerneth the transporting of herring and Sea fish, in English shippes with crosse sailes without payment of Custome &c. AB. Shippes 1. All the Queenes Subjects may bring into this Realme, by Ships with crosse sailes, cods or lings in vessels, notwithstanding the Statute of 5. Eliz. 5. EXP. What kind of Ships shall not anker vpon the Sea in fishing time. AB. Shippes 6. The lawfull Alike of Herring Barrels. Fish brought in by strangers shall not be dyed in England. AB. Fish 9. 15. 27. Eliz. 15. 23. Eliz. 7.
- Articles of Religion.** 12 The penaltie for an Ecclesiasticall person to maintaine doctrine contrarie to any of the Articles touching Religion. Of what age a man beneficed must be: He shall read the same Articles: Of what age a man ought to be which shall be admitted to the Ministrie, or to Preaching. His Testimoniall, and allowance to Preach. There shall be no lapie but after notice. AB. Ecclesiasticall 1. &c. 13. Coyns

13 Cozne may be transported when the prices be allowed reasonable by the Presidents and Councell of the North, and Wales, or by the Justices of Assise, or Justices of Peace: Which notwithstanding may be restrained by the Queenes Proclamation. AB. Corne 7. 8. The custome of Cozne transported. AB. Custome 6.

13 The Statute of 12. Ed. 4. 2. Touching Bowstaues, confirmed. Foure Bowstaues shalbe brought into this Realme for every Tun weight of Merchandise. AB. Bowes 1.

15 A Reuener of the Statute of 1. Eliz. 13. Prohibiting the crossing of the Sea with a Hoy, or plate of an English mans. And a Repeale of a byanch of the Statute of 5. Eliz. 5. that repealeth that Statute. EXP.

16, Eliz. 4.

16 The Conuictions, Outlawries, and Attainders of Charles Earle of Westmerland, and lby. others Attainted of Treason for open Rebellion in the North parts, confirmed. The Queene her heires and successors, shall haue for this time all the lands and goods, which any of the said persons Attainted had, within the Bishopricke of Durham, against the Bishop, and his successors, though he claime the Iura Regalia, and challengeth all the said forfeitures in the right of his church. R.

Attainder of Treason

17 Robert Earle of Leicester shall haue authoritie to found an Hospitall in Warwicke, or Kenelworth, for reliefe of poore and impotent people: which Hospitall shall haue capacite to purchase lands in any Countie of England, not exceeding the yearely value of CC. £. aboue all charges, that be not holden of the Queene immediately by Knights seruice in chiefe, or else by Knights seruice not in chiefe. R.

Leicesters Hospitall.

3. H. 6. 5.
9. H. 6. 9.

18 The River of Lee, otherwise called Ware river, by a new cut of French (to be made within ten yeares at the charge of the Lord Mayor, Commonalty and Citizens of London) shalbe made to conuey by water all Witailes, Cozne and other necessities, from the Towne of Ware to the Citie of London, and from London to Ware. R.

The river of Lee.

19 Every person aboue the age of six yeares, shall weare vpon the Sabbath, and Holie day, (vnlesse in the time of their traualles out of their Townes Hamlets, &c.) vpon their Head, a Cap of Woll, knit, thicked, and dyed in England, made within this Realme, and onely dyed and finished by some of the trade of Cappers, vpon paine to forfeit for every day not wearing, three shillings fourepence. Except Maides, Ladies, Gentlewomen, Noble personages, and every Lord, Knight, and Gentleman of xx. markes Land, and their heires, and such as haue bozne office of worship in any Citty, Borough, Towne, Hamlet, or Shire: And the Wardens of the worshipfull Companies of London. R. 39. Eliz. 18.

Wearing of Caps.

14. Eliz. 11:
18. Eliz. 10.
1. Jac. 25.

20 No Lease made of any Ecclesiasticall liuing with Cure, or any part thereof, shall endure any longer then while the Lessor shalbe ordinarily resident, and seruing the Cure of such Benefice, without absence aboue eight dayes in any one yeare, but every such Lease, (So soone as it, or any part thereof shall come to any possession, or vse aboue forbidden, or R.) immediately vpon such absence shall cease, and be void. AB. Ecclesiasticall &c. 9. 11.

Lease of a Benefice.

1. Jac. 25.
2. & 3. P. & M. 15.

21 In what cases the Kings Purueyors may take Cozne, or Victuall, in Cambridge, or Oxford, or within five miles thereof, and in what not. AB. Purueyors 33. &c.

Purueyors.

22 A Confirmation of the Statute of 8. Eliz. 16. Touching the diuision of the Shirisewicke of severall Counties, to continue for ever, (Sauing for the Shiris of Suffex and Surrey.) AB. Sherifes 29. 30.

Sherifes.

23 A

Queene Elizabeth.

Pauiſing in
London.

23 A way without Algate in the ſuburbes of London, ſometime called the Barres next Algate: And a way leading from the old Cage to the Poſthand of Fighthingale Lane: And another way betweene the ſaid old Cage and Croſſe Hill in the Pariſh of S. Marie, ſhalbe paved with ſtone, and ſo ſhalbe for ever continued by thoſe which be ſeiſed in fee ſimple, fee taile, or for terme of life, of lands adioyning to the ſayd highways on the one ſide, or on the other, vnto the middeſt of the ſayd wayes. R. 23. Eliz. 12.

Pauiſing of
Ipfwich.

24 The Streetes of Ipfwich in the Countie of Suffolke, and of the Suburbes thereof, ſhalbe paved with good pauiſing ſtone, and for ever repaired by the owners, Landlords, or Terre-tenants, along, from, and againſt their houſes, Lands and Tenements, adioyning to the ſtreete, viz. ſo much of the ſayd ſtrete in length, as his houſe, lands &c. ſo adioyning extendeth vnto, & in breadth during all the ſaid length to the chanel, or to ſuch place as the chanel there ſhall be appointed by the Wayliſes, vpon paine of forfeiture for every yard ſquare not ſufficiently repaired eight pence. The Wayliſes of Ipfwich, and the Portmen there, the Churchwardens, and ſoure of every Pariſh ſhall haue authoritie to take vpon every houſe, ground, and tenement, free and copie, ſciſtuate within the ſeueral Pariſhes of Ipfwich, reaſonable ſums of money to be verely payed as wel toward the finding of a conuenient ſtipendarie Miniſter, within every Pariſh, as for the reparation of the Churches there. R.

Miniſter.
Church.

Continuance
of Statutes.

25 The Statute of 23. H. 8. 17. concerning the winding of wool, and of 23. H. 8. 3. touching Attaints, and of 35. H. 8. 17. for the preſeruacion of Woods, and of 5. & 6. Ed. 6. 14. againſt Fozeſtallers &c. And of 2. & 3. P. & M. 3. concerning keeping of Pilch. Wyne, and breeding of Calues, made perpetuall. The Statute of 23. H. 8. 2. and of 5. Eliz. 24. touching the making and repayring of Coales, ſhall extend to the Countie of Cambridge, and ſhalbe reuiued, and continue ten yeares after the ten yeares mentioned in the ſaid Statute of 5. Eliz. Seuerall other Statutes continued vntill the end of the next Parliament. EXP. All Woods or Copies intended by the ſoreſaid Statute of 37. H. 8. 17. to be incloſed, or the ſprings thereof preſerued, ſhalbe incloſed, and the ſprings thereof ſaued from deſtruction, by the ſpace of two yeares more then in the ſaid Act is limited. AB. Woods 1. &c.

Woods.

Subſidie.

26 A confirmation of a Subſidie of ſix ſhillings in the pound granted to the Queene by the Clergie, to be payed in three yeares. EXP.

Subſidie.]

27 A confirmation of two Fifteenes, and Tenths, and one Subſidie granted to the Queene by the Tempozaltie. EXP.

Pardon.

28 A confirmation of the Q. ſres and generall Pardon: Except &c. EXP.

Statutes made at the Parliament begun at Weſtmin-

ſter, 8. die Maij, Anno 14. Regina Elizab.

& Anno Domini

1572.

The Q. forts
and Ships.

¶ 1 It ſhalbe Felony to take, or keepe from the Queene any of her Caſtles, Forts, Holds, &c. or to raze, or burne any Caſtle, or Fort, hauing the Queens Munition, or Ordnance therein, or guarded with ſouldiers: And aduulſedly to expreſſe the ſame by words, acts, or writings. It ſhalbe high Treason to withhold from the Q. any of her Caſtles, holds, &c. or any of her ſhips, Artillerie, or Fortifications of warre: or to burne, or deſtroy any of her ſhips: or to barre any Haven. EXP.

5. Ed. 6. 11.

Enlarging:
a Priſoner

2 The penaltie for conſpiring, deniſing, or going about to enlarge any perſon committed to priſon, or cuſtodie, by the Queenes ſpeciall commaundement for

for any Treason, or suspicion of Treason, concerning her owne person, and the same conspiracie, deuise, &c. by expresse words, writing, or other matter, manifestly to declare or set forth, before the prisoner shall be indicted, shall be deemed Disprision of Treason, after Indictment Felonie, after Attainder high Treason. EXP.

3 It shall be Disprision of high Treason to forge Money, which neither is the Coyne of this Realme, nor current therein. AB. Treason 4. Forging Money.

4 A reuier of the Statute of 1. Eliz. 10. prohibiting the transporting of Leather, raw Hides, and Tallow. HP. 18. Eliz. 8. Leather.

5 A Repeale of the Statute of 22. Henrie 8. 12. 3. & 4. Edward 6. 16. and 5. Elizabeth 1. Provided for the reliefe of the Poore, and punishment of Vagabonds. A Vagabond above the age of foureteene yeares shall be adiudged

35. Eliz. 7.
HP

to be grievously whipped, and burned through the grille of the right Care with a boate Iron of the compasse of an ynch, vnlesse some credible person will take him into seruice for a yeare. And if, being of the age of eighteene yeares, he after doe fall againe into a Roguish life, he shall suffer death as a Felon, vnlesse some credible person will take him into seruice for two yeares. And if he fall a third time into a Roguish life, he shall be adiudged a Feion. Who shall be adiudged Vagabonds. The penaltie for the reliefe

39. Eliz. 4.

43. Eliz. 2

2. H. 5. 1.

1. Jac. 25.

of them. Who may make Passports and Licences, and to whom. Assessments shall be made of the Parishioners of euerie Parish, for the reliefe of the Poore of the same Parish. Euerie Bishoppe shall visite and refozme Hospitals within his Diocesse. No person shall bring any Rogue out of Ireland, or the Isle of Man into England. EXP. The Iustices of Peace at their Quarters Sessions shall take euerie Parish within their Shire, Prisoners: for the reliefe of Prisoners in their Common Coale. AB. Prison Prisoners &c. 4.

13. Eliz. 3.

6 The Queene may make graunts by Copie of Court Roll, vsuall Wood-sales, or other things, of Fugitiues Lands, as Tenant pur terme dauter vie may doe. The Rents of Fugitiues Lands shall bee answerable in the Exchequer, and of Duchie Lands, in the Court of the Duchie of Lancaster, EXP. Fugitiues.

1. Jac. 25.

7 The Statute of 13. Elizabeth 4. Touching and inabling Treasurers, and Receiuers lands to be lyable to the payment of the Queene her debts, shall extend to Under-Collectors of Tenths, and Subsidies. AB. Accompt &c. 40. Under Collectors.

8 A Recouerie had by assent of the parties against Tenant for terme of life shall be voyd, except it be by assent of him in the Reuersion, or Remainder. AB. Recoueries 5. 6. 7. A Repeale of the Statute of 33. H. 8. 31. Recouerie.

35. H. 8. 6.
5. Eliz. 25.
5. Ed. 6. 6.
4. & 5. P. & M. 5.

9 In what cases a Tales de circumstancibus shall be graunted at the Tenant or Defendants request. AB. Iuror 25. 26. Tales.

10 No person using the trade of making of Kerfies, shall purposely make any above the length of xvij. yards. HP. 3. Jac. 16. Kerfies.

11 Seuerall Statutes made in the Reigne of King Hen. 8. King Edw. 6. and Qu. Eliz. reuined, and continued untill the end of the next Parliament. EXP. But these words in the Statute of 13. Eli. 20. shall not be reuined, viz. (So soone as it, or any parcell thereof shall come to any possession or vse above forbidden, or &c.) Of what force bonds, promises and covenants made for the suffering of any person to enioy any Benefice with cure shall be. Colledges may let certaine Lands to Farme for fortie yeares, notwithstanding the Statute of 13. Elizabeth 10. But they may not alien them, except they haue sufficient and present recompence. AB. Ecclesiasticall &c. 8. 10. 12. Colledges. Leases.

1. Jac. 25.

Money

Queene Elizabeth.

- Dilapidations.** Money recovered, for dilapidations shalbe imployed in reparations. AB. Dila- 13. Eliz. 10.
pidations 2.
- Welsh cloth.** 12 A Repeale of so much of the Statute of 7. Eliz. 2. as restrayneth any In-
Shrewsbury. habitants in Shrewsbury to buy Welsh Cloth, Cottons, or Frizes: And the
residue of the said Statute confirmed.
- Hexam.** 13 Hexam, and Hexamshire with the Liberties thereof, shalbe taken to be 2.H.5.5.
within and parcellof the Countie of Northumberland. AB. Hexam 1. 9.H.5.7.
11.H.7.9.

Statutes made at the Session of Parliament

holden by prorogation at Westminster 8. die

Februarii, An. 18. Reg. Eliz.

& Anno Domini

1575.

- Money sealed** ¶ 1 The diminishing, shaling, or lighting of any Coine currant within 5. Eliz. 11.
this Realme, shalbe high Treason. AB. Treason 6.
- L. Patents.** 2 A confirmation of all Letters Patents made by the Quene, sithence the 43. Eliz. 1.
first day of her Maigrie, or to be made seauen yeares after, notwithstanding any
Discreitall, Non-recitall &c. And a like Confirmation of all assurances made,
or to be made to the Quene during the said time. AB. Patents 3. 4. 5. 6. 7.
- Bastard.** 3 Justices of Peace shall take order for the punishment of the mother, and 1. Jac. 2.5.
reputed father of a bastard, and for the keeping of the said bastard. AB. Bastard 1
A Rogue shalbe conveyed from Constable to Constable, untill he come to the
Gaole. A Stocke to set the Poore on worke shalbe provided in euery Citie and
Towne Corporat. Houses of correction shalbe assigned in euery Countie.
Lands holden in Socage may during xx. yeares be given towards the mainte- 7. Jac. 4.
nance of houses of correction, and Stockes for the Poore. EXP.
- Assurances** 4 Every person which hath, or claimeth to haue any estate of inheritance, 35. Eliz. 7.
by Rebels. Lease, or rent, not already entered of record in the Exchequer, of, in, or to any
Lands, or Hereditaments, &c. by any assurance made by Charles Earle of
Westmerland, or any other Rebels in the Poorth attainted, named in the Sta-
tute of 13. Eliz. 16. or in any of the Records of their severall attainders, at any
time within two yeares, next before the vy. day of November, Anno 11. of the
Queenes Maigrie, shall within one yeare next insuing the first day of May next
openly shew forth in the Exchequer, in the Terme time, the same his conuey- 29. Eliz. 7.
ance, and exhibite the same to be inrolled of record: Or else euery such conuey-
ance made by any of the said Rebels shalbe void. And after the said partie
which exhibiteth the same conueyance, may within one yeare produce witnes-
ses to be examined in the Exchequer, to proue the same to be made Bona fide.
An yet if at the suite of the Quene, or any of her Patentees, it shalbe found by
verdict, that any such conueyance was made by couyn, to defraud the Quene
of her forfeiture, it shalbe voyd. But this Act shal not extende to any Bargaine
and sale made of lands by dede indented and inrolled, nor to Leases for three
liues, or xxi. yeares, nor to estates graunted by Copie, according to the custom
of the manor, so used to be letten by the space of twenty yeares, whereupon the
old, and accustomed yearely rent, or more shalbe reserved. RR.
- Informers.** 5 The dutie of an Informer in prosecuting a suite vpon a penall Statute, 27. Eliz. 10.
And his punishment if he abuse it. AB. Actions p. 3. 4. 5. 6. 7. In what case a Ju- 31. Eliz. 5,
rie shalbe compelled to appeare at Westminster for the trial of an issue vpon
a penall Law. AB. Iurors 31.

- 6 No man shall haue his Clergie, which committeth any Rape, or Burgla-
rie, or both carnally know, or abuse any woman child vnder the age of tenne
8.Eliz.4.
35.Ed.3.4.5 peares. He that is allowed his Clergie, shall answer to other Felonies. And
he that is allowed his Clergie shall not be committed to his Ordinarie, but
forthwith enlarged. AB. Clergie 10.18.20.
- 7 The Queene may, and shall appoint two Iustices for every circuit in
Wales. And she may grant Commissions of Association to persons learned in
the Law. Of what things those Iustices may make plea. AB. Wales 5.6. Iustices in
Wales.
- 27.H.8.14. 8 A Repeale of the Statute of 1.Eliz.10. and 14. Eliz.4. touching the trans-
sporting of Leather. The penaltie for shipping or lading of any Leather, Tal-
low, or raw Hydes, to the intent to transport the same beyond the Sea. AB.
Leather 50. Leather.
- 2.&3.P.&
M.8.
5.Eliz.13. 9 What shalbe the charge of every person towards the repaire of High
wayes, in respect of his Lands, or goods, or severall plough-lands. Who shall
dich, or skoure, or make sluices in or neere the high waye. No person shall cast
any soyle in the highway. AB. Highwaies 12.13.14.15.16. The Iurie at the
Queenes Court at Kingsborew in the Isle of Sheppey in Kent, shall take
themselues, and all other the Land-occupiers of the sayd Isle, according to e-
very mans occupying, towards the maintenance of Kings Ferrie within the
sayd Isle, and the wayes leading to the same. So as no Acre of fresh Marsh be
rated above one penie in a yeare, nor ten Acre of salt Marsh above a penie in a
yeare. R. It shalbe lawfull yearely during tenne yeares, for thzee Iustices of
37.Eliz.26. Peace to take all Land-occupiers dwelling out of the sayd Isle, and within 4.
Miles from the Ferrie, for the amendment of the high-way leading from Wido-
leton to Kings Ferrie. BP.
- 10 A Lease or other conveyance made of any Spirituall living, whereof
there is a Lease in being not to be determined within thzee yeares shalbe void
And so shall every bond, and covenant, for the renewing thereof. A Sequestra-
tion shalbe granted by the Ordinarie of the Tithes of a Parsonage demised
contrarie to the Statute of 13.Eli.20. and the Parishioners may retaine their
Tithes. Saint Johns Colledge lease, to the heires of White of Fifeild. AB.
Ecclesiasticall &c. 7.9. Leases of
Spirituall es
- 11 Where shalbe a triall in Westminster Hall by Nisi prius, of Issues ioy-
ned in the Chancery, Kings Bench, Common Place, or Exchequer. AB. Nisi
prius 4. &c. Nisi prius
- 12 The transcripts of all offices found befoze escheatozs, or commissioners
within the Counties Palatine of the Duchie of Lancaster, Chester, and Dur-
ham, shalbe certified into the Court of Wards. AB. Office & Inquisition 7. Office
- 33.H.8.30:
2.Ed.6.3.2. 13 After verdict given in Court of Record, there shalbe no stay of Judge-
ment, or reuerling thereof for want of forme, false Latine, variance, &c. AB.
Icofailes 2. When an Atturney shall deliuer his warrant of Record. AB. At-
turneies 13: Icofailes
- 2.H.6.14:
37.Ed.3.7. 14 Of what finesse Goldsmithes shall make their wares of gold, and silver.
A Goldsmith shall set his marke to his ware. AB. Gold 10.&c. Goldsmithes.
- 15 A Repeale of so much of the Statute of 4.&5.P.&M.5. prohibiting the
making, weaving, or rowling of woollen Cloth but in a Corporat, or Market
Towne, as concerneth any person dwelling in Somerset, Gloucester, and
Wiltshire. In what houses Clothiers in those Countreies may make Cloth out
of a Citie or Market Towne. How much land a Clothier may keepe in his oc-
cupation. AB. Draperie 80.81.82. Cloth.
- 9.H.5.12. 16 The moztow after the Quarter Sessions holden next after Easter in
Kent, the Wardens and Comminalty of the Lands contributoz to Rochester
Bridge. Rochester
Bridge.

Queene Elizabeth.

Bridge, shall for ever assemble at the Castle of Rochester, and there elect by the most voices two persons of the same Communitie to be Wardens of the said bridge, and twelue persons of the same communitie, to be assistants to the said two Wardens, for one yeare after the feast of Pentecost then following. And the two Wardens so chosen shall doe their indeuor that yeare to benefit the said Bridge, and shall receive the fines, rents, and reuenues of the Lands belonging to the Bridge, and of all contribution-money payable to the vse of the same Bridge: and shall answer and pay out of the same, as cause shall require. The new wardens shall be bound to the former wardens to make an accompt. The old Wardens shall accompt the Thursday in Whitsun weeke. The wardens and assistants shall subscribe to al leases made of any of the bridge lands: which Leases shall be made but of such effect as tenant in taylor may doe by the Statute of 32. Henrie 8. 28. and for no fines. And every seven yeare there shall be made a Terroze of the lands leased. No owners or tenants of lands contributozie to the maintenance of the said bridge, shall be assessed to pay any duty towards the maintenance thereof, but onely when the rents or profits of the lands belonging to the same be not sufficient. R.

27. Eliz. 25,

Chepstow.
Bridge.

17 The Countie of Gloucester, and the Countie of Monmouth, shall stand for ever chargeable, for the maintenance, repairing, and new making of Chepstow Bridge, as often as neede shall require, viz. either of them for such part and moity, as lyeth in the middle of the streame of the water of Wyse, on y sides of the Lordships of Chepstow, and Tydenham. And for the assessment, collection, and imploying of the money thereupon to be spent, such order shall be observed as is appointed by the Statute of 22. H. 8. 5. R. 3. l. ac. 23.

Paving of
Chichester.

18 Every person which shall be immediate owner, Landlord, or Terrentenant of any house, Lands, or Tenements within the Citie of Chichester, in fee simple, fee taile, for life, or yeares, shall from time to time, by the assignement of the Mayor of the said Citie, cause to be paved with good paving stones along from, and against his house, lands &c. adioyning to the streete, so much of the said streete, as is in length to the channell, upon paine of forfeiture of iij. s. iij. d. for every yard square not paved. The Lessees for yeares, or at will, may defaulte so much of the Lords rent, as they shall bestow in such paving, unless they shall otherwise covenant. R.

High wayes
nere Oxford.

19 Every person inhabiting within v. Miles of the Citie of Oxford, or the franchises of the same, having in his occupation one yard Land, or having a draught, cart, plough, or waine, shall at his owne charge send for the repairing, & by building of the decayed bridges, waies, & passages, lying within one mile of Oxford, one waine, cart, or draught furnished, after the custome of the country, with Oren, Hozles, &c. and all other necessaries meete to carry things for such purpose, & able men to load, & unload the same cart, &c. And every household, cotager, or labourer, inhabiting within the foresaid compasse (being no hired servant) shall by himselve, or other sufficient labourer, having meete toles, worke upon the premises: which persons, by the commandement of the Superuisors, shall make their cariages, and keepe their worke six whole dayes, at such places as to them shall be assigned, upon paine of forfeiture for every day or part of day wanting, v. s. The said Superuisors may cause to be digged gravel sand, rubbish, stone, synder and other things in the ground of any person, for the amendement of decayes. R. AL. 25. Eliz. 7. 1. l. ac. 25. To continue in force untill the end of the first Session of the next Parliament.

Woodstocke.

20 It shall be lawfull to every person to buy and sell within the Borough of new Woodstocke, in the Countie of Oxford, all manner of Wailles and Barnes brought into the said Borough, upon the small Market, and Fayre dayes,

daies, and the same to vse and imploy to their best profit. R.

21 The confirmation of a Subsidie of vi. s. in the pound graunted to the Subsidie.
Queene by the Clergie, to be paid in three yerres. EP.

22 Two Fifteenes and Tenthes, and one Subsidie granted to the Queen Subsidie.
by the Tempozaltie. EP. Fifteenes.

23 A confirmation by Parliament of the Q. free and generall pardon: Et. Pardon.
cept &c. EP.

Statutes made at the Session of Parliament holden by

prorogation at Westminster, 16. die Ianuarii, An. 23. Reg.

Eliz. & Anno. Dom. 1581.

¶ 1 It shall be high treason to perswade, or withdraue any from their na- Romish
turall obedience to the Queene, or to withdraue or reconcile them for that in- Religion
tent, from the Religion now vsed, to the Romish Religion: or to be perswaded
withdrauone, or reconciled. AB. Rome 7.8. The penaltie for saying, or hearing Masse.
of Masse. AB. Sacraments 11. The penaltie for forbearing to come to the Church
by the space of a Moneth: or for the keeping of a Schoolmaster which doth not Recusant
repaire to the Church. Couenous assurances made by recusants to defraude
the Queene shall be void. AB. Recusants 1. 2. 3. 4. 5. 6. 7.

2 If any person shall aduisedly, and with a malicious intent, of his owne Slander of
imagination, speake any false and slanderous felwes or tales against the the Queene.
Queene that now is, Then he shall haue both his Eares cut off, except hee
pay CC. l. to the Queenes vse in the Exchequer, within two moneths after
Judgement. And if he speake such slanderous felwes of the report of any
other, he shall haue one of his Eares cut off, except hee pay CC. Markes, &c.
And if any person once conuict shall offend againe, it shall be adiudged Fe-
lonie. And if any person within this Realme, or without, shall denie,
write, print, or set forth, any Booke, Rime, Ballad, Letter, or writing, con-
taining any false, seditious, and slanderous matter, to the defamation of the
Qu. or to the stirring or mouing of any Rebellion: or shall cause any such
booke, rime, writing, &c. to be writtten, printed, or published: or shall by setting
of any figure, casting of Statuette, or by Calculation, Prophecying, Witch-
craft, Coniuration, &c. seeke to know, and shall set forth by expresse words,
deeds, or writings, how long the Queene shall liue: or who shall reigne as
King or Queene after her decease: or shall vtter any Prophecies, to any
such intent: or shall wish or desire the death, or depriuation of the Queene,
or any thing to the same effect: Then euery such offence shall be adiudged Fe-
lonie. Exp.

3 Fines and Recoveries may be inrolled. For what Errores they may bee Fines.
reuerfed. Who may haue writs of Error to reuerse them, and in what cases. Recoveries.
The day and yere of knowledging of a Fine, or Warrant of Atourney, shall be
certified. There shall be an office of Inrolments. The fees for Inrolments
of Fines and Recoveries. A Table shall be set by containing the contents of
euery Fine &c. AB. Fines 22. &c.

4 The Queene shall and may, as neede shall require, by committion vn- The borders
der the great Seale, giue authority to certaine Commissioners, in all and of Scotland.
euery of the Counties of Northumberland, Cumberland, Westmerland,
and the County Palantine of Durham, or in any of them, to inquire what
Tenancies, and houses of habitation, sitthence Anno 27. H. 8. bee decayed
and not occupied by men able to serue as horsemen, or footment, according
to the ancient duty of those Tenancies, and to examine the probable causes
of

29. Eliz. 6.
34. Eliz. 1.
35. Eliz. 2.
1. Jac. 4.
3. Jac. 4. 5.

1. & 2. P. &
M. 3.

1. Eliz. 6.

1. & 2. P. &
M. 9.

27. Eliz. 9.

2. & 3. P. &
M. 1.

Queene Elizabeth.

of those ruines, and of all the wants, and euill furnitures of the said Hoysmen and Fōtmen: and to giue order for the refozmation thereof, with all speed for the defence of the Frontiers towards Scotland. *RP. & RP. 4. lac. 1.*

Iron.

5 Those Woods shall not be conuerted to Coales for the making of Iron workes, which shall grow within a certaine compasse of London, or Thameise. In what places new Iron workes shall not bee erected. *AB. Iron 4. 1. Eliz. 15. 27. Eliz. 19. 5. 6.*

**Repairing of
Douer haven.**

6 For every Ship, Vessell, or Crayer, whereof any of the Qu. Subiects shall be owners, or part owners, of the burden of xx. Tunnes or vppward, loading, or discharging within this Realme, and passing to and from any fozeine countrey, during viij. yeres, there shall be paid for every such voyage by the Master or owner of such Ship &c. iij. s. for every Tunne of burden of such Ship &c. (except vessels laden with Sea coales or Grindstones) towards the repaire of Douer Haven: And for every Chaldron of Sea coale or Grindstone j. v. ob. *Exp.*

*31. El. 13.
35. Eliz. 7.
43. Eliz. 9.
1. lac. 32.*

**Salt fish
Herrings.**

7 It shall not be lawfull to any English man, or woman, or Denizen, to goe, or send into any other fozeine countrey, for the buying or bzinging into this Realme any salted fish, or salted Herring, nor to make agreement with any stranger, or other, for such bzinging of salted fish, &c. And no salted fish, or &c. shall be brought hither out of any fozeine dominion, but by the owners thereof being Aliens, without the procurement of any of the Qu. subiects. *RP. 39. Eliz. 10.*

*33. H. 8. 2.
27. Eliz. 15.
13. Eliz. 11.*

**Waxe:
Honey.**

8 The penaltie for vsing deceit by mixture, in melting of Ware. Euerie melter of ware shall haue a marke, and shall vse good stuffe. The contents of euerie Vessell of Honey to be sold: And the same to be marked. *AB. Waxe &c. 1. &c.*

**Dying of
cloth.**

9 Logwood and Blockwood shall not be vsed in dying, but shall bee burned. No Cloth shall bee mathered for Blacke, except it bee first grounded with Woode. A Dyer shall fixe a Seale of Lead to his Cloth. *AB. Dyers 1. 3. 4.*

*39. Eliz. 11.
24. H. 8. 2.*

**Felants &c.
Hawking.**

10 The penaltie for destroying of Wheasants or Partridges in the night, and for hawking in eared or codded Cozne growing. *AB. Felants 2.*

*11. H. 7. 17.
1. lac. 27.
7. lac. 11.*

**Cardiffe
Bridge.**

11 The Countie of Glamorgan in Southwales, and the Towne of Cardiffe therein standing neere vnto the River of Tosse, shall ioyntly proceed together for the reedifying of the Bridge there, viz. the Countie shall alwaies bestow fīne parts of the charges, and the Towne of Cardiffe one part. And so for every v. l. payable by the Countie, the Towne of Cardiffe and the liberties shall stand charged with xx. s. and so from time to time, for the maintaining of the said Bridge, shall defray all such charges as shall be necessarie in like proportion. *RP.*

**Paving
without
Algate.**

12 An addition to the statute of 13. El. 23. touching the paving of a streete without Algate in the Suburbs of London, leading to the Queenes Hozehouse of the Pīnoies, towards the Tower of London, and other places neer thereunto. Euerie person that hath any lands adioyning to the south side of Hogge lane, shall skoure and keepe skoured and clenfed the ditch there against the said said Lands, vpon paine to forfeit to the Queene vij. s. viij. d. for euerie Rodde not clenfed. *RP.*

**Plumsted
Parsh.**

13 A continuance for two yeres of certaine Statutes not in print, made anno 5. 8. & 14. Eliz. Touching the Inning, and fencing of Carith, Līnes, and Plumsted Parsh, in the Countie of Kent. And some further benefitts granted to the Inners. *RP.*

*27. Eliz. 27.
4. lac. 8.*

Subsidie.

14 A confirmation of a Subsidie of vij. s. in the pound granted to the Queene

Queene by the Clergie, to be paid in three yerres. *Exp.*

15 A graunt of a Subsidie and two fifteenes to the Qu. by the Temporal. *Subsidie.*

16 A confirmation of the Queenes generall and free pardon : Except *et.* *Pardon.*

Statutes made at the Parliament begun at West-

minster 23. die Nouembris, Anno 27. Reg. Eliz.

& An.Dom. 1585.

1. Foure and twentie persons at the least, whereof part of the Queenes Privie Councell, and the residue being *Peeres* of the Realme, by the Qu. Com- mission, shall examine the offences of such as shall make any open invasion, or rebellion within this Realme, or attempt hurt to the Qu. person, by, or for any pretending Title to the Crowne: Who after Judgement given and published by Proclamation, shall be disabled to haue, or pretend title to the Crowne. And thereupon enerie such person shall be pursued to death, by all the Qu. Subjects, by whom, or whose meanes, assent or priuie, any such Rebellion shall be denounced to be made, or other thing attempted, compassed, or imagined against the Queenes person. If any act shall be executed, whereby the Queenes life shall be shortned: the offenders shall be prosecuted to death, and disabled to pretend Title to the Crowne. The meaning of the association was to the effect aforesaid. *Exp.* *Inuasion.* *Association.*

2. All Jesuites and Priests that bee in England shall depart. And none shall come into the Realme. The penaltie for relieving them. They which be in Seminaries, shall upon warning by Proclamation returne into England. The penaltie for sending reliefe to them, or to any Jesuite or Priest. None shall send his Childe beyond the Sea without licence. *AB.* Jesuites Priests. *Jesuites.* *Priests.*

3. An explanation of the Stat. of 13. Eliz. 4. ordained to make the Landes and goods of Tellores, Receiuors, &c. lyable to the payment of the Qu. debts. *AB.* Accomptants &c. 42. &c. *Accomptants* *to the King.*

4. Fraudulent conueiances to defeate purchasors shall be void. The penaltie of those which doe iustifie them. Assurances with condition of reuocation shall not preiudice the purchasor. *AB.* Fraudulent &c. 4. &c. The contents of Statutes Marchant, and of the Staple, shall be entred in the office of the Clerke of Recognisances. *AB.* Statutes 15. &c. *Fraudulent* *assurances* *Statutes* *Marchant.*

5. After demurrer ioyned and entred, Judgement shall bee given, notwithstanding any defect in proces or pleading. What defects in forme shall be amended by the Court, and what not. *AB.* Demurrer 1. &c. *Demurrer.*

6. The forme of a Venire facias, where each Juror must dispend foure Turoz. pounds of Frechold. What issues shall be returned upon every person impanelled. The penaltie of the Shirife which retourneth one summoned, that is not: Or for taking a reward to spare the retourning of a Jurour. Two Hundred shillings shall be sufficient in a personall action. *AB.* Jurors 19. 20. 21. 22.

7. No Juror shall be returned without addition of his dwelling place. In Turoz. enerie Extract of Issues against a Juror, his addition shall be put: And no issues shall bee gathered but of him. *AB.* Jurors 33. 34.

8. Judgements in certaine personall Actions given in the Kings Bench, Error. may upon writ of Error, sued bee examined, and affirmed, or reversed by the Justices of the Common Pless, and Barons of the Exchequer. And the

It y

same

Queene Elizabeth.

- same Iudgement may bee againe examined in Parliament. AB. Error 3.4.
- Fines.**
Wales. 9 There may be inrolment of fines acknowledged, or recoveries suffered of lands in the twelue Shires of Wales, the Towne and Countie of Pauer, forso West, and the Counties Palatine of Lancaster, Chester, and Duresme. For what Errores fines and recoveries there, are not reuerfable. And in what cases Writts of Erroze shalbe allowde AB. Fines 31. &c. 23.Eliz.3.
- Informers.** 10 The Stat. of 18.El.5. Touching Informers vpon penall Statutes made perpetuall. AB. Action p.3.&c.
- Fish daies** 11 Certaine Stat. made in the raignes of H.H. 8. H.Ed.6.and M.Eliz.re- uined and made to continue untill the end of the next Parliament. Exp. A re- peale of so much of the Stat. of 5.El.5. as concerneth the eating of fish, and re- straineth the eating of flesh vpon the Wednesday. Sea fish may bee sold any day in the weeke, sauing Sunday. Victualers shall bitter no flesh in Lent, nor vpon Fridaies and Saturdaies. Exp. 35.Eliz.7.
- Underthirife.** 12 Two oathes shall be taken by euery Underthirife. And Wapstifes of Franchises, Sherifes, Clerkes and deputies, shall take the same oathes. AB. Sherifes 32.33.34.
- Fresh suit.** 13 The inhabitants of the Hundzed where fresh suit shall cease, shall bee chargeable with halfe the damages reconered against the Hundzed where the Robberie is committed. And the suit shall be commened by the Clerke of the peace. A remedie for those against whom recoverie and execution shall be had, to haue contribution of the residue of the Hundzed. Huy and cry shall be made by horsemen and footmen. AB. Huy &c.2.&c. 13.Ed.1.12 28.Ed.3.11 39.Eliz.25.
- Huy & cry.**
- Mault.** 14 A remiuer of the Stat. of 2.&c.3.Ed.6.10. Touching the true making of Mault. AB. Mault 1.&c. 1.Iac.25.
- Sea fish.** 15 It shall be lawfull to any of the M. subiects to bying into this Realme from the parts beyond the sea in English ships, or craiers, being sailed by En- glish Marriners with crosse sailes, Herrings, Staple fish, and Ling fish, for ser- uing of the North parts, paying the Queens custome & Subsidie for the same: So as none of the said fish bee shipped from any of those North parts, into a ny place of England, South, or Southwest from Boston. Any statute or Pro- viso notwithstanding, &c. But this shall not be preiudiciall to the Towne or Burgeses of Berwicke. Exp. 5.Eliz.5. 13.Eliz.11. 23.Eliz.7.
- Leather.** 16 It shall not be lawful to any person (sauing to a Tanner, his executozs, administratozs, or Legatozies, or to them to whom tanned Leather shall bee forfeyted) to sell, or put away any tanned Leather, bntwrought, not conuerted into made wares. Exp.
- Cloth.** 17 Of what length, bzeadth, and weight narrow listed Whites, and broade listed Whites, made in the Counties of Gloucester, Wiltshire, and Somerset, and elsewhere of like making shall be. And the penalties for the want thereof. AB. Draperie 12.28.S.43.Elizab. 10. part of this Statute re- pealed. 35.Eliz.7.
- Cloth.** 18 A Repeale of part of the Statute of 5.Ed. 6.6. and of the whole statute of 7.Edw.6.9. restraining the putting of haire, flockes, or lambes wool into plaine white Straites, and pinned white Straites, made in Denon and Cornetwall. What may bee put into the said Clothes made in Denon and Cornetwall. Of what length, bzeadth, and weight the said Clothes shall be. How many Loomes euery workeman may keepe in his houses. AB. Dra- perie 57. 34.Eliz.10.
- Iron Mills.** 19 No new Iron Mills shall bee made in Suffe Surrey, or Kent. No good Timber shall be consumed by the making of Iron. AB. Iron 7.8. 1.Eliz.15. 23.Eliz.5.

A remedie for the repaire of high waies in Suffex, Surrey, and Kent. *RP. 39.*
El. 19.

20 It shall bee lawfull to the Maior and Comminaltie of Plimmoth, in the Countie of Denon, and their successours, to digge and mine a trench, or ditch, containing in breadth betwixt five and seven foot ouer in all places, throught all the grounds, lying betweene the Towne of Plimmoth, and any part of the Riuer of Ouse, for the necessarie conueying of the said Riuer to the said Towne, and to do reparations, and make all things necessarie, whereby the said Riuer may be brought, and continue vnto the said Towne, without the let of any person: The sayd Maior and Comminaltie paying to the Owners and Fermers of the sayd ground, the value of the ground so digged, to bee assessed by two Iustices of Assise. But the sayd Riuer shall not bee conueyed throught any persons House, Orchard, or Garden, nor to the hinderance of the water course of any Mill, without the Owners consent. *RP.*

*Plimmoth
riuer.*

4.H.7.21.

21 Of what maner euerie Pet shall be, that shall be set in Ouseward Haven in the countie of Suffolke. *AB. Hauens 3.*

*Ouseward
Hauen.*

22 It shall bee lawfull to the Maior and Citizens of the citie of Chichester, in the Countie of Suffex, their successours and assignes at any time hereafter to lay out so much ground, in such places as they shall thinke most meete for that purpose, for the making of a new channell, from such place of the Haven of the said citie, vnto the Suburbes thereof, betweene the Dell Key there, and a place called Fishborne, and of such length and breadth, throught out, as to them shall seeme necessarie, for the conueying the water along the Channell vnto the said Suburbes: And also to enter into any lands within halfe a mile of the said new Channell, where any Brookes, Waters, Streames, or Springs shal be, and to assigne and lay out such quantitie thereof, as shall be conuenient to bring in the same Brookes, &c. into the said channell. *RP.*

*Chichester
Hauen.*

1.Eliz.14.

23 What persons dwelling in Worstead and Langham in the County of Essex may make, weaue, or row woollen clothes there, notwithstanding the statute. 4. & 5. P. & M. Draperie 79.

Cloth.

1.Jac.25.

24 The Iustices of peace within the Countie of Posfolke, shall take order for the repaire of Sea bankes, and Sea wayes within the said Countie. *AB. in Posfolke.*

*Sea bankes
in Posfolke.*

9.H.4.12.

18.Eliz.16.

25 As often as the Rents or profits belonging to Rochester bridge in Kent, shall not be sufficient to beare the charge of the reparation thereof, the two Wardens, and moze part of the twelue assistants, shall take all the contributozie Lands, rating enery Parish, where those Lands be, proportionably at such summe of money, to be paid in such manner, as by the said Wardens, &c. shall be appointed in writing vnder their hands and Seales: for the which any person by them assigned may distraine, and sell the Distresse. At the next election of the said two Wardens and Assistants, two Householdiers at the least shal be present of enery Parish within seven miles of the said Bridge, wherein any contributozie lands doe lye, to giue their voyces at the same election. *RP.*

*Rochester
Bridge.*

18.Eliz.9.

26 It shall bee lawfull for vs. b. iiij. or iij. Iustices of Peace inhabiting within viij. miles of Middelton in the Countie of Kent, to take vpon the grounds lying without the Ile of Sheppey, and within foure miles distant from Kings Ferrie there, such assessments towards the repaire of the High way leading from Middelton to Kings Ferrey, as to them shall seeme reasonable, though the owners or occupiers of the said grounds bee dwelling
K iij. *with.*

*The way to
Kings Ferrey*

Queene Elizabeth.

Without the said compasse of foure miles: So as for euerie yeare no acre of fresh marsh be rated aboue a peny, no; tenne acres of salt Marsh aboue a peny. Notwithstanding the stat. of 18. Eliz. 9. R.

Plumsted
Marsh.

27 Liberty continued to certaine persons, for fire yeares, for the Inning of Crith, Lesnes, and Plumsted Marshes, in the Countie of Kent. The moitie of all the lands so to be reconered and inned, assured to the Inners and their heires in respect of their charges: and also the eight part of the other moitie. They shall hold it of the Queene as of the Mannor of East Greenwich in Socage, by fealtie, paying a peny an acre yerely: and shall pay no tithes for by. yeres. R. 23. Eliz. 13.
4. iac. 8.

Subsidie.

28 A confirmation of a subsidie of by. s. in the pound, graunted to the Qu. by the Clergie, to be paid in three yeres. R.

Subsidie.

29 One entire Subsidie and two fifteenes, graunted to the Queene by the Tempozaltie. R.

Pardon

30 The Queenes generall and free pardon confirmed by Parliament, Except &c. R.

Statutes made at the Session of Parliament holden by pro- rogation at Westminster 29. die Octobris, Anno 28. Eliz. & Anno Domini 1587. Or according to the printed booke 15. die Febr. An. 29. Eliz.

Attainder of
Treason.

¶ 1 A Confirmation of the lawfull, and iust convictions, and attainders of Thomas Lord Paget, F. C. C. P. F. T. W. S. A. B. T. S. C. D. J. C. A. C. T. C. T. R. B. J. C. and J. T. lately attainted of high treason by Outlary, Verdict, or confession. And they shall forfeit to the Q. all their manors, lands, offices, rights, conditions, and hereditaments. R.

Attainder
reuerfed.
Assurances
by Rebels.

2 No Recoꝝd of attainder of Treason shall be reuerfed, where the partie attainted is executed for the same. AB. Treasons 15.

3 Euerie person which hath, or claimeth to haue any estate of inheritance, lease or rent, not already entered of recoꝝd, or certified in the Erchequer, of, in, to, or out of, any manors, lands, or hereditaments, by or vnder any graunt, or assurance whatsoever, made sithence the beginning of the Queenes raigne, by any of the persons attainted for matter tending to the hurt, death, or destruction of the Queene, or to any actuell Rebellion, or Inuasion, or for being adherent, or giuing aide, or comfort to any of the Queenes enemies sithence the eight day of Februarie, in the eighteenth yere of the Qu. raigne, shall within two yeares after the end of this Session of Parliament openly shew forth the same in the Erchequer: And there in terme time in open Court exhibite the same assurance, (or) vpon his oath affirming, that he hath not, nor can come by the same, or that it was neuer put in writing) When the effect thereof in writing to be entered, and inrolled of record: Or else euerie such assurance shall be void to all intents. Et sic, vt supra, 18. Eliz. 4. R.

Sheriffes
Execution.

4 How much any Sheriffe or his officer may take for the serving of an execution, and the penaltie if he take moze. AB. Sherifes 35.

Statutes
continued.

5 The Statute of 5. Eliz. 9. touching Perurie, and of 13. Eliz. 5. concerning fraudulent Deedes, and of 5. Eliz. 13. touching repaire of High waies made perpetuall, And certaine other Statutes made in the raignes of King H. 8. R. C. D. 6. & Q. Eliz. continued vntill the end of the next Parliament. R.

An

- 31.Eliz. 10. In what case the defendant in a suit upon a penall law may appeare by Attur' Attorney.
nep. AB. Attorney 14.
- 23.Eliz. 1. 6 Certaine assurances made by Recusants of their Lands, shall be void a Recusants.
35.El. 1. & 2 gainst the Queene. In what courts conviction of recusancie shalbe. At what
1.Jac. 4. time, and in what place Recusants shal pay their money forfeited: and the pe-
3.Jac. 4. 5. naltie if they pay not the same at the time and place preferred. Indictment of a
Recusant, and Proclamation thereof. A Recusants submission. AB. Recu-
sants 8. & c.
- 7 A subsidie of vij. s. in the pound granted to the Queene by the Clergie, to Subsidie
be paid in iij. peres. EXP. Clergie.
- 8 A Subsidie and two Fifteenes granted to the Queene by the Temporal Subsidie.
tie. EXP. Temporalitie.
- 9 A Confirmation of the Queenes generall and free Pardon: Except Pardon.
gc. EXP.

Statutes made at the Session of Parliament holden

at Westminster, 4. die Februarii, An. 31. Eliz.

& Anno. Dom. 1589.

- ¶ 1 The not coming of the L. Chancelloz, & the L. Treasurer, or of ei Error.
ther of them at the day of Adournment, in a writ of Error pursued according
to the Stat. of 31. Ed. 3. 12. shalbe no discontinuance of such writ. Thre of the
Justices of the common place, and Barons of Exchequer may receiue writs
of Error and award Procees, according to the Stat. of 27. Eliz. 8. Error sued in
Parliament. AB. Error 25. 6. 7.
- 2 A fine leuied in the common palce shalbe proclaimed only foure times, viz. fines.
euerie terme once of foure termes. AB. Fines 3.
- 3 Thre proclamations shalbe made in euery action personal, wherein any Exigent.
writ of Exigent shall be awarded. The defendant upon a writ of Error sued Proclamatib:
shalbe bound to answer the plaintife, and to satisfie the condemnation. AB Ex-
igent 13. 14. A Proclamation shall be made of the Summons in a reall action.
AB. Proclamation 1.
- 4 It shalbe felony to imbezell the Q. ordinance, armour, or victuall, to the Armour.
value of xx. s. provided for soldiers &c. AB. Armour 3.
- 18.Eliz. 5. 5 None shall be informers, which be restrained by order of any of the Qu. Informers.
27.Eliz. 10. courts. In euery Information upon any penal statute, the Countie shalbe ex- Information
pressed where the offence was done (sauiug in certaine cases.) Suits upon cer-
taine statutes shall be only prosecuted at the Qu. Sessions, generall Assises, or
in a Lett. AB. Actions &c. 8. & c. The Stat. of 7. H. 8. 3. touching informations
upon penall stat. repealed.
- 6 The feuerall penalties for taking a reward for giuing voice in election of Briberie in
a Fellow, Scholer, &c. in any Colledge, Hall, Societie, &c. or for giuing or ta- Colleges.
king of money for resigning a place in any such Colledge: or for presenting or Simonie.
collating, or admitting to a benefice for reward: or for corrupt resigning, or
exchanging of a benefice: or for taking of rewards of a Minister, or for gi-
uing Orders, or Licence to preach. AB. Ecclesiasticall 36. & c.
- 35.Eliz. 6. 7 The feuerall penalties for building, or maintaining of a Cottage with Cottages.
out laying of foure acres of land to it. The penaltie for placing, or suffering of Inmates.
an inmate. AB. Cottages 1. & c.
- 1.Jac. 25. 8 Vessels brought from beyond the Sea for Ale, or Beere, into London, Gauging of/
23.H. 8. 8. or within two miles compasse shall be gauged. What shall bee taken for the vessels.
gauging

Queene Elizabeth.

- ganging of them. AB. Coopers 4. &c.
- Exigent in Durham.** 9 A writ of Proclamation shall be directed to the Bishop of Durham upon an exigent awarded against any person dwelling in that Bishopricke. The penaltie if he doe not returne it. The Bishop of Durham shall haue a deputie in the B. Bench, and the Common place. Writs against outlawed persons in the said Bishopricke, shall be directed to the Bishop there, or his Chancelloz. AB. Exigent 15. &c.
- Attornies.** 10 Certaine statutes made in the raignes of H. 8. H. Ed. 6. & Q. Eliz. continued untill the end of the next Parliament. EP. The stat. of 29. Eliz. 5. touching making of Attornies in suits, upon penall Lawes, shall extend onely to naturall bozne subiects, or free Denizens. AB. Attornies 14.
- Restitution. Force.** 11 There shall be no restitution upon an Indictment of forcible entrie, or withholding with force, where the defendant hath bene, three yeeres in quiet possession, and his estate not ended. AB. Force 4.
- Sale of horse.** 12 That person which selleth a horse in a faire or market, must be known to the toll taker, or some other, who will anouch the sale, which shall be entred into the toll booke. The owner may redeeme his stolen horse within sixe moneths, paying the price. AB. Faires &c. 7. 8. All accessories to horse stealers shall be put from their clergie. AB. Clergie 13.
- Douer haueu.** 13 The stat. of 23. El. 6. touching the repaire of Douer haueu, shall be reuiued, and continued during vij. yeeres. Euerie Customer and Officer shall bee answerable for the wilfull default and negligence of his deputie, so farre as by the same statute he was for his owne. EP.
- 14 Confirmation of the Subsidies granted by the Clergie. EP.
- 15 Two subsidies and foure fifteenes granted by the Tempozaltie. EP.
- 16 A generall pardon. Exp.

Statutes made at the Parliament holden at Westminster 19. die Februarii, Anno 35. Reg. Eliz. & An. Dom. 1593.

- Recusants.** 1 The punishment of that person, which obstinately refusing to come to the Church, shall perswade other to impugne the A. authoritie in causes Ecclesiasticall. Which offendor not conforming himselfe, shall abiure the Realm. The penaltie of an offendor refusing to abiure, not departing the Realm, or returning without licence. An offendors submission: his relapse: The penaltie for keeping a Recusant in his house after warning, certaine persons excepted. 3. Iac. 4. AB. Recusants 18. &c.
- Recusants.** 2 The penaltie if a convicted Popish Recusant doe remoue above v. miles from his house. Where a recusant having no house shall make his abode: & that he shall notifie to the minister &c. In what case a recusant shall forfeit his copihold land. A recusant of smal ability shall abiure the realme: The penalty if he refuse to abiure, do not depart, or returne without licence. A recusant restrained, may trauell by licence, or yeld his bodie to the Sherife. A recusants submission: his relapse. How farre married women shall be bound. AB. Recusants 28. &c.
- Abbey lands.** 3 All Abbey lands which came to the possession of H. 8. Or were put in charge in any court, or by any Officer for him, or were granted by him to any person or persons, body politick, or corporate, shall be adiudged to haue been in the actual and lawfull possession of the said King, his heires &c. The Letters Patents of H. 8. For the foundation of any Deane & Chapter, or Colledge, shall be reputed good. AB. Patents 18. 19.
- Patents.**

33.El.17.

4 Cuerie parish shalbe charged with a summe weekly, towards the relief of sicke, hurt, and maimed souldiers and mariners. AB. 43.El.3.

Souldiers.
Mariners.

5 A confirmation of the attainders of Sir Francis Eaglesfield, that went forth of the Realm Añ 1.El. by the M. licence, and was attainted of high treason, aswell by the Stat. of 29.El. as by the common law. His lands established to be in the M. her heires, successors, or assignes. The M. shall take the advantage of reuocation of an assurance with a condition, made by him, upon the tender of a King of gold. R.

Francis Eaglesfield.

31.El.7.

6 No new buildings shall be erected within 3. miles of London, or Westminster. One dwelling house in London, Westminster, or 3. miles thereof shall not be converted into more. No inmates, or underlitters shall be in the places aforesaid. Commons or wast grounds lying within 3. miles of London shall not be inclosed. A mile shall containe 5. furlongs, euery furlong 40. poles, and euery pole shall containe 16. foot and a halfe. R.

Newbuilding
by London.

3 Mile.

7 Seuerall statutes made in the reignes of King Hen. 8. King Edw. 6. and Quene Elizab. reuined and continued vntill the end of the next Parliament.

EXP. A Repeale of part of the Statute of 5. Eliz. 2. concerning Tillage: Of the whole Stat. of 24. Hen. 8. 4. and of so much of the Statute of 5. Eliz. 5. as concerneth the sowing of Hempe and Flaxe. Cuerie person eating flesh upon fish

Tillage.

5.El.5.

27.El.11.

dayes, shall forfeit only xx.s. and he in whose house it is eaten, xiiij.s. iij. d. AB. Fish dayes 1. Of what prices seuerall sorts of corne shall bee, when they may bee transported. AL. 1. Iacob. 25.

Hempe.
Fishdayes.
Corne.

A Repeale of so much of the Statute of 14. Eliz. 5. and 18. Eliz. 3. as concerneth the punishment of Vagabonds by gaol

Vagabonds.

ling, bozing through the eare, and death for the second offence. No person dwelling within five miles of Drford shall be charged with the repairs of bydd

Highwayes
nere Drford

ges and high wayes there, according to the Statute of 18. Eliz. 19. vntlesse hee hath in possession one yard land: And then he shall pay for cuerie yard land

yearly but iij. d. before Pentecost, to the Vice-Chancelor, and Maior, or their Deputie, towards the said repaire, and no other penaltie. During

18.El.3.

twenty yeares lands may be giuen for the maintainance of any house of correction, or of poore peoples stockes, without licence of Mortmaine. AB.

Mortmaine 10. Certaine shippes and vessels passing from port to port within this Realme, discharged of payment of iij. d. a Tunne towards the repaire

of Doner Haven, graunted by the Statute of 23. Eliz. 6. The Statute of 27. Eliz. 17. touching the breadth of white Clothes made in the Countie of

Doner haven.
Cloth.

43.El.10.

Gloucester, Somerset, and Wiltshire, made perpetuall. AB. Draperie 12.

28. The seuerall penalties for making of Cables of old flusse, being aboue or vnder vij. ynches in compasse. AB. Cables 3. 4.

Cables.

27.El.17

9 Of what length, breadth, & weight, Blunkets, Azures, Bletwes, or other coloured clothes mad in Wiltshire, Gloucester, or Somersetshire, shalbe, and the penalties for default thereof. AB. Draperie 13. 27. S. 43. El. 10. part of this

Cloth.

Stat. repealed.

1.Jac.25.

10 The weight and length of a Denonshire Kerles rain, and of a Rudge wash Kerles. A weauer shall weaue his shoppe marke, and a Purrel at the end

Denonshire
Kerles.

of euerie of the said Kerles. Dozens shall bee bletwes, weighed, and marked, before they be put to sale. Searchers of Denonshire Kerles, and their authoritie. A dozen shall not be cut, and after put to sale as whole. AB. Draperie 104.

&c.

1.Jac.52.

3.Jac.11.

11 A quantitie of Clapbords shalbe brought into this realm for beere, or fish transported. Wine caske shall not be transported, but for certaine purposes. AB.

Clapbords.

Clapbord 1.&c.

Queene Elizabeth.

- Subsidie.** 12 A confirmation of two Subsidies of iiii.s. in the pound, to bee pated in two yerres, granted to the Queene by the Clergie. *EP.*
- Subsidie.** 13 A confirmation of three Subsidies, and six Fifteenes and tenths granted to the Queene by the Temporalitie. *EP.*
- Pardon.** 14 A Confirmation of the Queenes generall and free Pardon: Except *ec.* *EP.*

Statutes made at the Parliament begun at West-

minster, 24. die Octobris, An. 39. Reg. Eliz.

& Anno. Dom. 1597.

- Husbandrie** ¶ 1 A Repeale of the stat. of 4.H.7.19. and of all other statutes ordained against the destruction of townes, and houses of husbandrie. The penaltie for decaying houses of husbandrie, sithence the beginning of the M. raigne, viz. befoze seven yere, or within seven yerres. The dutie of the heire, executor, administrator, successor, or assigne of an offendor, & of the purchaser. Within what time building or repaire of the said houses shalbe made. Houses of husbandrie shalbe kept in repaire. A gentleman may take into his hands six score acres of land, or two houses. *AB. Husbandrie &c.* 1 Jac. 25.
- Tillage.** 2 Arable land which hath bene made pasture, sithence the beginning of the M. raigne, shalbe againe converted to tillage, that which is arable shal not be converted into pasture, or wood, but in some cases: The conversion of tillage into pasture shal be no cause of breach of any covenant, bond, &c. *AB. Husbandrie &c.* 1 Jac. 25.
- Pooze.** 3 Who shalbe overseers of the pooze: by whom and when they shal be appointed: their office, and dutie: their account: this forfeitures &c. *EP.* 43. Eliz. 2.
- Vagabonds.** 4 A repeale of all former statutes made for the punishment of vagabonds & sturvy beggers, and for the erection or maintenance of houses of correction. The Just. of Peace of every Countie shall set downe orders for the erection, and maintenance of houses of correction. Who shal be accounted Vagabonds. The punishment of a dangerous vagabond. The forfeiture for not apprehending a Vagabond. The penaltie for bringing into this Realme of Irish, Scotch, or Spanishe Vagabonds. Commissions shalbe awarded to enquire of money gathered for houses of correction or stockes for the pooze. *AB. Vagabonds &c.* 22. H. 8. 12.
27. H. 8. 25.
11. H. 7. 2.
14. Eliz. 5.
18. Eliz. 3.
7. Jac. 4.
- Hospitals.** 5 It shalbe lawfull for any person to erect an hospital, or house of correction, which may purchase and enioy any goods and freehold lands, not exceeding the verely value of CC. l. &c. *AB. Hospitals &c. 2. &c.*
- Charitable bles.** 6 Commissions may be awarded to certaine persons to inquire of lands or goods given to Hospitals, or other charitable bles, misimployed and reforme them *EP.* 43. El. 9. Saving for the execution of orders and decrees befoze made by Commissioners, according to this statute. 43. Eliz. 4.
- The Qu. Debtors.** 7 The Queene may sel her accomptant, or debtors lands in his lifetime, & after his death. To which accomptants only this statute doth extend. There shal be no sale of land, where the debtor hath a Quietus est. If the M. be satisfied, the suerties shal be discharged. What proces shal be awarded where the debt doth grow in the Court of wards, or Duchie. Proces against the terretenant befoze the sale of his land. *EP.* 13. Eliz. 4.
27. El. 3.
1. Jac. 25.
- Bishops.** 8 Everie deprivation of any Bishop or Deane made in the beginning of the M. raigne, shalbe good. Archbishops, Bishops and Deanes, made by the M. shalbe adiudged lawfull. *AB. Bishops 7. 8.* 8. El. 1.

- 3.H.7.2. 9 He that taketh away a woman against her wil, that hath lands, or goods, or women, or is heire apparant to her ancestoz, shall lose the benefit of his Clergie. AB. Women 13.
- 10 A Repeale of the statute of 23. Eliz. 7. restraining Englishmen to goe or fish, send into any foraine countrey for the buying and bringing into this Realme salted herring, or salted fish. The Queenes subiectes may transport fish in ships with crosse sailes. What customes Aliens shall pay for salted fish and herrings. Unwholesome fish after warning shall be forfeited. AB. Fish 17. &c. Ordinances of Companies to restraine taking, buying, or selling fish, shall be void. 43. El. 9.
- 11 The penaltie for mixing, or using of Logwood in Dying of Cloth with woad, or other stuffe. AB. Dying of cloth. 23. Eliz. 9.
- 12 What workemen or labourers wages J. of Peace may assele. The raising of wages where J. of peace of one county do keep Sessions in severall divisions of the same. Where shall be proclamations of the rates of wages made by the J. of Peace. AB. J. of Peace 66. 5. Eliz. 4. 1. La. 5. & 25. Labourers wages.
- 13 The L. Maior of London, and the Master and Wardens of Clothworkers there, or their assigners, may search all persons occupying the broad sheare. AB. Fustians 2. 11. H. 7. 27. Fustians.
- 14 No Cardes for wooll shall be brought into this Realme to be sold. AB. Cardes. 1. La. 25. Cardes 1.
- 15 He shall not have his Clergie which robbeth a house in the day time, of the value of v. s. AB. Clergie 13. 1. La. 25. Clergie 13.
- 16 Justices of Peace in Counties, and Maiors and other officers in Cities and townes corporate, may restraine excessive making of Mault. AB. Mault 6. &c. 1. La. 25. Mault.
- 17 Mending Marriners, Souldiers, and other idle persons, shall settle themselves to worke. They shall have Testimonials. The punishment for counterfeiting testimonials. The relief of Souldiers and Marriners. AB. Marriners 4. &c. 1. La. 25. Marriners.
- 18 The statute of 13. El. 8. provided against blurie, 27. El. 4. against fraudulent assurances, and of 27. El. 7. for the leuying of issues lost by Jurozs, made perpetual. Severall other statutes, made in the reignes of H. 8. H. Edw. 6. and Qu. Eliz. renewed and made to continue untill the ende of the next Parliament. EP. A repeale of the statute of 13. Eliz. 15. touching the wearing of cappes. 13. El. 15. Caps.
- 19 A repeale of so much of the statute of 27. El. 19. as concerneth the amendment of high waies in Suffex, Surrey, and Kent. Another ordinance made for the repaire of waies in the Wilds of Suffex, Surrey, and Kent, used for yron workes. AB. Highwaies 19. &c. 27. El. 19. Waies.
- 20 No person shall stretch or straine any cloth made on the south side of Trent, nor shall use any Tentoz or other engines to stretch or straine clothes. The owner shall set his seale of lead unto his clothes, before they be put to sale, containing the length & weight thereof. Overseers shall be appointed, who shall search and try the said clothes, & fix a seale thereunto. Just. of P. head constables, & overseers shall search for tentozs, ropes, wrentches, &c. Southernes cloth brought to London may be searched there. AB. Draperie 11. 2. &c. 43. Eliz. 10. 5. Eliz. 6. 6. Cloth.
- 21 A further taxation shall be made for the reliefe of sicke and maimed souldiers and marriners, where sufficient was not provided by the statute of 35. Eliz. 4. EP. Eliz. 43. 3. Souldiers. Marriners.
- 22 The establishment of the Bishopricke of Norwich, and the possessions of the same, against a pretended concealed title made thereunto, by colour of Bishopricke of Norwich. of

Queene Elizabeth.

of a graunt in fee farme made by the Queene, by her letters patents dated 2. Augusti Anno 27. of her raigne, to certaine persons, vnder the name of a Cottage, and all Lands, Tithes, &c. within the Deanries of Fleg Brooke, &c. in the Countie of Dorset, to the Late Monasterie of S. Benets of Hulme belonging, at or vnder the yearely rent of xl.s. Which monasterie, with the possessions thereof by a statute made An. 27. H. 8. were vntited to the Bishoppe of Dorset. R.

**Rewport
and Carlion
Bridges.**

23 The inhabitants of the Countie of Monmouth shall for ever stand chargeable for the maintenance, amending, and new making of the Bridges of Rewport and Carlion, ouer the riuer of Uske in the said Countie, and either of them as oft as need shall require. And such order and direction shall be obserued for the assessment, gathering, and imployment of the money thereupon to be spent, as is appointed by the statute of 22. H. 8. 5. But no towne corporate within the said Countie shall be chargeable to be contributarie thereunto, which is bound by any law to make or repaire any Bridge ouer any maine Riuer. R.

Wilton bridge

24 A conuenient Bridge of Stone, Timber, or both, shall be made and finished at Wilton vpon Wyke, in the Countie of Hereford, nere vnto the Town of Kosse, by the inhabitants of the said Countie, in such place there, as by the Iustices of peace of the Countie shall be appointed, within seuen yeares next after the dissolution of this Parliament, being 9. die Februarij, An. Dom. 1597 Pontage shall be taken of the said Bridge in foyme following, and not otherwise, viz. every person shall pay for every Cart, Carre, or Maine loaden, or vnen ouer the said Bridge, y. d. and for every horse loaden with a Packe, s. d. and for every ten sheepe, or vpiward to twenty, y. d. & for every twenty sheepe, iij. d. and for five beasts, to the number of twentieth, ij. d. and for every twentieth beasts yj. d. & so proportionably according to that rate. Two Burgeses of the town of Kosse, & two Freholders of the Countie of Hereford shall be yearely chosen collectors of the said Pontage: to whom, or to their Deputies, if shall be lawfull to distraine, and impound any persons beasts, sheepe, &c. refusing to pay the said Pontage. And the said collectors shall yerely pay to Charles Bridges his heires, or assignes (vpon whose land the said Bridge shall be builded) x. l. at the Feast of S. Michael. And the said collectors shall yearely make account of the profits of the said Pontage. R.

**Weinherthe
Hundred**

25 A remedy for the inhabitants of the hundred of Weinherthe in the countie of Berks, for the recoverie of such summes of mony as shall be obtained of them by force of the stat. of 27. El. 13. AB. Huy and cry 11. &c.

Subsidie

26 A confirmation of three Subsidies of iiii. s. in the pound granted, to the Quene by the Clergie. EP.

**Subsidies,
fifteenes.**

27 A confirmation of a grant made to the Qu. by the Temporalitie of three entire Subsidies, and sixteene and Tenths. EP.

Wardon

28 A confirmation of the Qu. generall and free Wardon, Except &c. EP.

Statutes made at the Parliament begun at West-
minster 27. die Octobris, Anno 43. Reg. Eliz.
& An. Dom. 1601.

**Confirmation
of assurances.**

1 ¶ A confirmation of the assurances made to or for the Quene, of any lands &c. thence 8. die Februarij, An. 25. of her raigne: And likewise of all Letters Patents and other writings made by the Quene to any others, thence the said 8. Februarij, or to be made within one yeere after the ende of this

18. Eliz. 1.

this Parliament, notwithstanding any misnaming, misrecitall, &c. To what Letters Patents this Statute doth extend, and to what not. AB. Parents 8. &c.

1. Jac. 25. 39. Eliz. 3. 2 The Churchwardens and certaine householders in euery Parish, shall be The poore. Overseers of the poore. Their office, duetie, and accompt. Building of houses for the poore. Reliefe of the prisoners in the Kings Bench, and Marshalse, and of the Hospitals. An ordinance for the Island of Fowlenes in Essex. AB. Poore 2. &c.

1. Jac. 25. 39. Eliz. 6. 3 A repeale of the Stat. of 35. Eliz. 4. & 39. Eliz. 21. concerning the reliefe of Souldiers and Mariners. Euery Parish shall be charged with a weekly contribution, towards the reliefe of sicke, hurt, and maimed Souldiers, & Mariners. Who shall receive the same, & pay it to the Parriner of Souldier. The punishment of a Parriner of Souldier taken begging, or counterfeiting a certificate. AB. Captaines 17. &c.

39. Eliz. 6. 4 Commissions may bee directed to certaine persons, to inquire of the Charitable. abuse or misemployment of lands or goods given to Hospitals, or other Charitable. bles, and by their orders to reforme the same. AB. Hospitals 10. &c.

1. Jac. 25. 5 At what time a writ to remoue a suit depending in the Court of a towne Remouing a coporat, shall be deliuered to the Judge or Officer of the same court. AB. Remouing &c. 3.

1. Jac. 25. 36. 6 The penaltie of a Sherife, or other, which shall make a warrant to sum- Arrest with- mon or arrest any person, not hauing before an originall Process. AB. Sherifes out warrant. 36. No costs for the plaintife where an Action is brought for a summe not ex- Costs of suit. ceeding xl. s. AB. Damages 16.

7 The punishment for cutting of Cozne growing, or of such other small of- Small offensi- fences. And the penaltie of a Constable being commanded, to refuse to punish ces. such an offender. AB. Trespas 1. &c.

8 He that by colour of a fraudulent administration, taken in the name of Fraudulent another, doth receiue an Intestats goods, or debts, shall be for so much char- administra- ged as Creditor of his owne wrong. AB. Administrators 2.

1. Jac. 32. 9 Seuerall Statutes made in the raignes of King Henrie the eight, King Edward the first, and Queene Elizabeth, reuiued and made to continue untill the end of the first Session of the next Parliament. 39. A repeale of the Sta- Breach of tute of 39. Eliz. 6. made to reforme the breach of trusts of lands given to chari- trusts. table bles, saving of such decreas as be made by Commissioners by force of the said Statute. There shall be paid towards the repaire of Doner haven three Doner haven pence a Tunne, but only for the merchandise wherewith a ship shall be laden, notwithstanding the Statute of 23. Eliz. 6. A repeale of part of the Statute of 39. Eliz. 10. touching ordinances of Companies to restraine buying, taking, or selling of fish.

27. Eliz. 18. 4. Jac. 2. 10 No deceivable things shall bee put in woollen cloth. No denise shall Cloth. bee made to stretch woollen cloth in length or breadth. The length and weight of woollen clothes made to be sold. The statute ordained 39. Eliz. 20. for poore theerne clothes, shall extend to clothes made in other countries. Cloth sealed by Overseers shall not be searched againe. A repeale of so much of the Statute of 27. Eliz. 17. and 35. Eliz. 9. as concerneth the exceeding of the length of clothes, mentioned in the Statute of 5. Ed. 6. 6. and of so much of the Statute of 4. & 5. P. & M. 5. as toucheth Certificats of faulty cloth. A Merchant shall take no advantage of a Clothier, for any defect in Cloth transported, but in some cases. AB. Draperie 122. &c.

Queene Elizabeth.

- Approuements of Parishes.** 11 A contract may be made betwene the Lords and Commoners of great Parishes in several Counties and those persons which shall undertake to keep them perpetually drie. The Qu. assent requisite, where she shall be owner of the soile. AB. Approuements 8. &c.
- Policies of assurances.** 12 Commissions shall be awarded to certaine persons to heare and determine policies of assurances among marchants. The Commissioners authoritic. A remedy for the partie grieved by the Commissioners decree. AB. Marchants 15. &c.
- Rapines in Cumberland &c.** 13 A remedie to repressse the impyzioning, ransoming, taking and carrying away of prisoners, spoiling of their goods vpon deadly felow, giuing or taking of blacke Maile, burning of barnes, or stacks of cozne in Cumberland, for thumberland, Westmerland, and the Bishoppe of Durlesme. And a meane to apprehend outlawes there. AB. Robberie 1. &c.
- Fuell.** 14 A repeale of the penaltie of the stat. of 7. Ed. 6. 7. ordained for the assise of fuell: and another for seizure assigned. Of what compasse tal hides, billets, and fagots, shall be. AB. Fuell 1. &c.
- Fines leuted in Chester.** 15 Fines may be leuted before the Mayor of Chester, of lands lying with in the Countie of the citie of Chester. And a Dedimus potestatem may be granted by the Mayor of Chester to others, to receive the acknowledgment of a fine. Before whom such fines may be reuerfed. AB. Fines 14. 15. 16. 2. Ed. 6. 18.
- Edon brydge & Westberke.** 16 The Countie of Cumberland shall stand chargeable for the erecting, maintaining, repairing, and newmaking of Edon brydge, and Westberke brydge: And for the assessment, rating, collection, & employing of such works, and summes of money, as from time to time shall be needfull for the building, and repairing of those brydges, such forme, and order shall be observed in all things, by, and through the said Countie, as is appointed by the statute of 22. H. 8. 5. ordained for the repaire of brydges. But the inhabitants of the Lordship of Millam, shall not be chargeable with any contribution thereunto. R.
- Millam. Subsidies. Clergie.** 17 A confirmation of foure Subsidies of iiii. s. in the pound, granted to the Queene by the Clergie. EP.
- Subsidies.** 18 A grant by the Tempozaltie to the Qu. of foure entire Subsidies, and eight fiftenees and tenthes. EP.
- Pardon.** 19 A confirmation by Parliament of the Qu. general and free pardon, Except &c. EP.

Statutes made at the Parliament begun at Westminster, 19. the Martin, An. 1. Reg. Jacobi,

& Anno. Dom. 1603.

1 A Recognition, that immediately upon Queene Elizabeths death, the Crowne of England, and all the Dominions belonging to the same, did by inherent Birthright, and lawfull succession, descend and lineally, and laterally come unto our Sovereigne Lord King James, his progenie, and posteritie for ever. AB. Crowne 1.

Descent of the Crowne.

2 An authoritie given to certaine Commissioners, viz to 14. Lords of the higher house, and to 30. Knights, Citizens, and Burghes of the house of the Commons, to treat with certaine Commissioners of Scotland, before the next Session of Parliament, for the weale of both Kingdomes: which Commissioners shall reduce their proceedings therein to Instruments tripartite, and shall present the one to the King, the second shall be offered to the consideration of the Parliament of England, at the next Session, and the third to the consideration of the Parliament of Scotland.

English and Scottish Commissioners.

3 All assurances to bee made to the king, by any Archbishop, or Bishop, of any lands being parcell of the possessions of his Bishopricke, shall be void. AB. Ecclesiasticall 6.

Bishops assurances.

4 All Statutes made in the raigne of Queene Elizabeth against Jesuites, Priests, &c. and those which concerne the withdrawing the kings subjects from their obedience, and the Religion now professed, and the taking of the oath of obedience to the king, and those that were made against any manner of Recusants shall be put in execution. A Recusant conforming himselfe, shall be discharged. In what case the heire of a Recusant shall be charged for his ancestors offence, and in what not. The two parts of a Recusants lands, and leases, forfeited to the King for default of payment of xx. l. a moneth, shall goe toward the payment of the said xx. l. and the third part shall not be seized. The penaltie of a Schoolmaster which shall teach in a Recusants house, and of him that doth retaine him. AB. Recusants 40. &c. The severall penalties for going, or sending any other person forth of the Realme, to any Seminarie, to be instructed in the Popish Religion, or being there not to returne: Or for any woman, or childe, under the age of xxi. yeares, to passe over the sea without licence. AB. Jesuits 14. &c.

Priests. Recusants.

5 No Steward of any Leet, or Court Baron, shall take benefite to the value of twelve pence, by colour of the grant of the profits of any such Court. AB. Leets 16.

Stewards of Courts.

6 To which labourers, or artificers, the Statute provided, Eliz. 4. for the rating of servants wages shall extend. An ordinance for the rating of wages where the Justices of Peace do keepe Sessions in severall divisions. Proclaiming of the rates of wages. The penaltie of a clothier refusing to obey the assentments of wages. A Prouiso for a clothier being a Just. of Peace. AB. Just. of peace 66.

Servants wages.

7 No licence given by a Baron, or any of greater degree, shall annaile players in Enterlades. Glasse-men shall be punished as rogues. A dangerous rogue shall be marked on the shoulder with a hot yron. Every person shall apprehend a rogue, and carrie him to the Constable or Tithingman, which shall punish him. AB. Vagabonds 2. 4. 5.

Vagabonds.

8 The benefite of Clergie taken from that person, who shall stab another

Stabbing. which

By

King James.

Alehouse.

which hath not a weapon drawn. AB. Murder 7.8. Clergie 2.

9 The penalty for an Alehouse-keeper to suffer any person to remaine tippling in his house. Penalties for selling Ale or Beere at too high prices. The penalty of Constables or Churchwardens that doe not leuie, or certifie the default of distresses. AB. Alehouse 6. &c.

7. Jac. 10.

Reports.

10 No person to whom a cause shall be referred by any Court, or Judge, shall take any thing for his report. AB. Iustice 2.

Second marriage.

11 It shall be felonie to marrie a second husband, or wife, the former being aliue. AB. Matrimonic 8. &c.

Coniuration. witchcraft.

12 A Repeale of the Statute of 5. El. 16 touching coniuration, witchcraft, &c. The penalty for practizing Inuocation, or Coniuration, whereby any person is killed, lamed, wasted, &c. And for declaring by witchcraft wher any treasure or stolen things be, and for psonoking to loue, or destroying of cattell. AB. Coniuration 1. &c.

33. H. 8. 2.

A new execution.

13 A new execution may be sued against him which shall bee deliuered out of execution by priuiledge of Parliament. They shall bee discharged out of whole custodie such priuiledged persons shall be deliuered. AB. Execution 4.

Small debts in London.

14 A remedie for a freeman of London to recover a debt not exceeding xl. s. owing to him by another inhabiting within the said Citie, or the liberties. A penalty if the debtor doe not appeare before commissioners upon warning, or if the creditor or debtor do not performe their order, or if the creditor being a free man of London, doe sue any other free man out of the same citie, for a debt vnder xl. s. AB. 3. Jac. 15.

Bankrupts.

15 An exposition and addition to severall branches of the Statute of 13. El. 33. H. 8. 4. 7. touching Bankrupts. AB. Bankrupts 1. &c.

Watermen.

16 What Watermen rowing between Windsor and Chancery may take an apprentise, or seruant. Of what age the apprentise retained to serue must be. The eight ouersers of watermen shall twice in the yere read their orders. AB. Boatmen 13. &c.

2. & 3. P. 2.

M. 16.

Hats & Caps.

17 The one moiety of the penalties inflicted by the Stat. of 8. El. 11. touching making of cappes and hats, and also by this Statute, shall be forfeited to the king, and the other to such as will sue for the same. None shall make felts, or hats, but which hath bene an apprentice, nor shall set any person to worke them, borne out of the kings dominions. AB. Hats 4. &c.

Hops.

18 The penalty for bringing into this Realme corrupt, or mired Hops: or for brewing of Ale, or Beere, to be sold, with them. AB. Hops 1.

Garbling of spices.

19 The forfeiture if spices shall not be garbled, and censed, and after sealed by the garbler, before the sale of them: Or if the said spices shall be mired with any thing after the garbling. The grabler of spices may enter into other mens houses, to search for vngarbled spices. AB. Spicerie 1. &c.

Painter. Plasterer.

20 No Plasterer shall vse the occupation of a Painter Stainer, in London or the Liberties thereof. What colours a Plasterer may vse. A Painters day wages. AB. Painters 1. &c.

Goods purloined.

21 No sale, exchange, or mortgage, of any household stuffe, or other goods in London, Westminster, or Southwarke, wrongfully purloined from any person, shall make any alteration of propriety of the same. The penalty if a Broker being demanded, shall denie to declare whether any such came to his hands. AB. Brokers 1. &c.

Brokers.

Leather.

22 The dutie of Tanners, Curriers, Shoemakers, and other Artificers occuppying the cutting of Leather. Buying and selling of Barke. Burnetance of Timber. A penalty for transpyting of Leather. AB. Leacher 1. &c.

A

A repeale of the Statute of 5. Eliz. 8 touching the using, working, and cutting of leather, and of all other statutes thereby repealed.

23 An ordinance for the preservation of fishing in the Counties of Somers, set, Denon, and Cornewall: And a provision for the defence of Fishers, Con- Fishing.
doys, and Fishermen, against malicious lites. AB. Fishers 2. &c.

24 Who only shall make Mildernix, or Potale Damp. The goodness, length Mildernix.
and breadth thereof. AB. Mildernix 1. &c.

25 Generall Statutes made in the reignes of H. H. 8. & Edw. 6. and Du. Stat. renewed
Eliz. shall be continued, and remaine in force until the end of the first Session repealed.
of the next Parliament. And a repeale of divers other Statutes. Corne of
what prices may bee transported. AB. Corne 6. No person shall incurre any
penaltie for want of length, breadth, or weight, of Welsh Cottons, under
the price of fifteene pence the yard, or two shillings the good: so as they be not
mixt with harie, or other deceitfull stuffe: nor for any others above that
price, except they bee mixed as aforesaid, or shall thinke above the rate of
halfe a yerde in twelve yarden in length, or weigh lesse then foureteene
quintes the yerde: or hold not full three quarters of a yerde broad. AB. Dra-
perie 19.

26 Certaine orders established for the Exchequer, first commanded by
a private Seale from Queene Elizabeth, Anno 13. of her raigne, and after
set downe, and made 15. die Iunij, Anno Domini 1573. by the Lord Treasu-
rer, Chancellor, and Barons of the Exchequer, shall be observed. AB. Exche-
quer 10. &c.

27 The penaltie for shooting at, killing, or destroying, any Fesant, Par- Taking of
tridge, Pigeon, Hare, &c. or for the taking the egges of Fesants, Partridges, Fesants &c.
or Swannes out of their nests: And for the keeping of a Gayhound, or setting
dogges, or nets to take Fesants or Partridges: And for selling, or buying to
sell againe, any Deere, Hare, Partridge, or Fesant. Who may take Partrid-
ges with nets, and when. Licence to shoot in a Gunne for Hawkes meat. AB.
Fesant 6. &c.

28 A Confirmation of the Kings Letters Patents, bearing date at West- Berwicke
minster 30. die Aprilis, Anno secundo Regis Jacobi, graunted to the Pa- Lib. rices.
tor, Bailles, and Burgeses, of the Borough of Berwicke upon Tweede:
And of the Franchises, Liberties, and Customs of the said Borough.
R.

29 To what sorts of flesh, Licences to eat flesh in Lent, and upon daies
prohibited, shall not extend. Certaine officers authoritie in restraining the kil-
ling or dressing of some sorts of flesh. The penaltie of offenders of flesh at daies
prohibited. AB. Fish daies 6. &c.

30 The inhabitants of Melcombe Regis, in the Countie of Dorset,
within the Diocesse of Willesoll, may at their owne costs build a Church by-
on the ground where the Cappel now standeth, and the grounds adioy-
ning, convenient to receive all the inhabitants of Radipoll, and inclose
the said grounds adioyning, to make a Churchyard for a place of buriall. Radipoll.
After which Church is builded, it shall bee called the Parochiall Church
of Radipoll. And the newe Parson of Radipoll, and his successors,
shall bee Parsons thereof. And the olde Parish Church of Radipoll,
shall bee but a Chappell of ease. And the Patron of the olde Parish
Church of Radipoll shall bee Patron of the new. A new Mansion house
in Melcombe Regis, assigned to the said Parson, and his successors for e-
ver. R.

Melcombe
Regis.

King James.

**Infected with
the plague.**

31 *Exactions* shall be made by the chiefe officers of Cities, Townes, &c. of the inhabitants thereof for the reliefe of such persons as shall be infected with the plague. A remedie if the inhabitants be not able to relieue the infected persons: Where there be no Iustices of peace: Where the infection is in a village or hamlet. Certificat shall be made of the fares at the Quarter Sessions. The penaltie of infected persons going abroad. Examiners, keepers, and buriers of the infected shall bee appointed by the chiefe Officers. AB. Plague 1. &c.

Douer haue.

32 From the end of this Session of Parliament, during seven yeres, and no longer, there shall be paid by the Master, or owner of euery ship, bessel, or crayer (sauing of Lime Regis in the Countie of Dorset) whereof any of the R. subiects shall be owners, or part owners, of the burden of xx. tunnes, or upwards, for euery voyage loading, or discharging within this Realme, or to or from any fozein countrey beyond the Seas, & passing to or from London, or for, from, to, or by Douer, or comming into the harbor there (not hauing a Coquet testifying his payment befoze) towards the repairs of Douer Hauens, 3. s. for euery tunne, of the burden of euery such bessel &c. Except vessels loaden with sea coales, or grindstones, And for euery chaldron of sea coles or grindstones s. v. ob. which shall be paid to the Custome, Collector, of Customs, or Subsidies or their deputies, &c. R.

Subsidie:

33 A Subsidie granted to the King during his life, of tonnage, pondage, woolls, fells, leather, &c. AB. Customs 1. &c.

23. Eliz. 6.
35. Eliz. 7.
43. Eliz. 9.

Statutes made at the second Session of Parliament holden

by prorogation at Westminster 5. die Nouembris, Anno

3. Regis Iacobi, & Anno Domini

1606.

**Perety praler
for the kings
deliuerie.**

¶ 1 The Ministers in euery Cathedraall and parish Church, shall alwaies vpon euery fift day of November say morning Praler, and giue thanks to God, for the deliuerance of the King, Queene, Prince, Lords, and Commons, assembled the same day in the vpper house of Parliament, from a most cruell conspiracie inuented against them by certaine traitors, intending to blow the vp in the same house with Gunpowder. And all persons shall vpon that day reloze to some Church where the said praler shall be said, and there abide orderly during the time of the same. And euery Minister shall giue warning thereof to the parishioners the Sunday befoze. AB. Sacrament & Seruice diuine. Ref. 3. Holy daies &c.

**General persons
attainted
of treason.**

2 All and euery the conuitions and attainders of Robert Winter, Thomas Winter, Guy Fawkes, Ambrose Rookewood, John Graunt, Robert Keyes, Thomas Bates, and Sir Gerard Digby, shall be approued and confirmed. And as well they the said Robert Winter, T. W., G. F., A. R., J. G., R. B., T. B., & C. D., as also R. Catesby, T. Pearce, J. Wright, Ch. Wright, Hugh Wynn, and Francis Tresham, for their most detestable treason in conspiring, and preparing the blowing vp with gunpowder of the Parliament house, shall stand and be aduinged, conuicted and attainted of high Treason. And such and so many of the said offenders as are attainted by the course of the common lawes shall forfeit to the king, his heires &c. all their Mannors, lands, tenements, rights, conditions, offices, fees, and hereditaments, and all their goods, chattels, debts and other things, which they or any of them, or any other person, or persons, to any of their bles had, the day of their several

trea.

treasons specified in their severall indictments, or at any time sithence. And the said R. Catesby, T. Pearce, J. Wright, C. Wright, H. Wynn, and Francis Tresham shall forfeit all their Mannors, Lands, &c. which they had the dayes of their severall treasons committed, viz. the said R. Catesbie. Th. Pearce, J. Wright, and Ch. W. the xx. day of May, Anno secundo Regis Iacobi: The said H. Wynn the xx. day of May last past; and the said Fran. Tresham the xliij. day of October last past, or at any time sithence. And al and singular such Mannors, Lands, Goods, Chattels, &c. of the said offenders, as shall be forfeited, shall bee in the actuall and reall possession of the King, his heires &c. without any Office, or Inquisition to be taken or found. Saving the right of all other persons (but of the offenders and their heires) which they had befoze the said severall treasons committed. And also saving the lawfull Gift, Grant, Bargaine, or Release of any Goods, Chattels, or Debts, made by any of the said offenders, to any person or persons, befoze the first day of November last. R.

1. Jac. 7.

3 All and every proceedings, matters, and things whatsoever, which are yet to be had, made, done, or performed of, or concerning the Act obtained (Anno 1. Iacobi. Touching a Treatie to be made betweene certaine Commissioners of the Realme of England, and certaine of the Realme of Scotland) in or about the full and shall execution of the same, shall and may in every respect bee as effectually and fully had, made, performed, and done in any other Session of this Parliament, as if the same had bene done in this Session.

English and
Scottish Com-
missioners.

4 The penaltie if a Popish Recusant consozming himselfe to repaire to the Church, shall not within one yeare after, and so once in every yeare after, receive the Sacrament of the Lords Supper. The Church-wardens and Constables of every Parish shall once in every yeare present the monethly absences from Church of all Popish Recusants, and of every of their children, of nine yeares of age, and of every of their servants, at the generall or Quarter Sessions. And their reward for the same. The Iustices of Assise, and Gaole Delivrie, and Iustices of Peace shall have authoritie to heare and determine the offences of Recusants, and of not receiving the Sacrament, and to make Proclamation, that the offenders bodie shall be rendered to the Sherife. The Forfeiture of the offender convicted. The Certificat of a conviction recorded into the Exchequer. For default of payment, Proces shall be awarded, to seize the lands and goods of the offender. The King shall bee at libertie to refuse twentie pounds a moneth of a Recusant, and to take two parts of his Lands, Leases, &c. But shall not have his Mansion house: neither shall let his two parts to a Recusant. A Bishop in his Dioces, or any two Iustices of Peace may require a Recusant, or person, which hath not received the Sacrament twice within one yeare befoze, to take the Oath hereafter following. A certificat of the Receivours thereof. The penaltie of the Refusers thereof. The forme of the Oath. So Traverse to an Indictment shall be allowed to a Recusant, but to the direct point of not comming to the Church, saving after the parties hath consozmed himselfe. The penaltie to goe over sea to serve any foraine Prince, not taking the aforesaid Oath. A Captaine or Lieutenant going over the sea, shall be bound by Obligation in twenty pounds, with two sureties, not to bee reconciled to the Pope, nor to enter into any pparitie against the King. Who shall accept the said Bond and Oath. The penaltie for perswading, or being perswaded from the naturall obedience to the King, or to promise obedience to the Pope or Sea of Rome. Where the saide offence shall be tried. Tryall of Peeres offending. A penaltie for not

Recusants
consozmed.Presentment
of RecusantsForfeiture of
a Recusant.20. l. a month;
or two parts
of lands, &c.The Oath.
Traverse to
an indictment.Going over
the Sea.

Perswading.

23. Eliz. 1.

King James.

Keeping a
Recusant.

Excommunicated.

Husband.
Wife.

Discovering
the offence of
a Recusant.

Recusants
shall not come
to the Court,
of London.

Licence to
Recusants to
travell.

A Recusant
shall be no Of-
ficer.
Woman Re-
cusant.

A Recusant
disabled to sue

Going beyond
the Sea.

Benefices.
Duo solong.

Executoz.
Guardian.

Popish
Bookes.
Searching
Recusants
houses.
Recusants
Armour.

Marchants.

not repaying euerie Sunday to Church. A Repeale of two Branches of the Statute of 35 Eliz. 1. touching relieving or keeping a Recusant in his house. The penaltie for keeping a Recusant in his House, Fee, Service, or Liuerie. The Sherriffe having a Writ, may breake open the house of any person excom- municated, for the apprehending of him. What Iustices may enquire of the offendours of this Act. The plea of any person against whom action shall bee brought for doing or Commanding any thing, according to this Statute. The Ecclesiasticall Jurisdiction saued: The husband shall not bee charged for the twines offence in not receiuing. For any woman for the same offence happen- ing during marriage. Who may accept the foresaid oath of a noble man or wo- man. The Warden of the Cinque Ports, or his assignee shall take the oath of them which passe out of the same, to serue any fozeine Prince. AB. Recusants, 40. &c.

5 The Reward of him that disconereth a Recusant relieuing a Priest, or a Palle that hath been said, or such as were present thereat. A Popish Recusant shall not repaire to the Court, but in certaine cases. Popish Recusants shall depart from London, and tenne miles compasse thereof. Popish Recusants which shall remaine within London, or ten miles thereof, shall depart from the said Citie, and ten miles compasse, & shall deliuer by their names to the Maior of London, or to the next Iustice of Peace, saving such as be any Trade, or dwel in London, or within ten miles. A confirmation of the Statute of 35. El. 2. concerning the confining of the Recusants, & of the penalties therof. The Pro- uiso in the said Statute, giuing authoritie to certaine persons to grant Licence to Recusants to travell out of the compasse of five miles repealed. Who may giue Licence to Recusants to travell aboue five miles. What offices, func- tions, & places in the Common wealth a Recusant shall be disabled of. A Popish Recusant convicted, or to be convicted, or having a wife convicted, shall not beare a- ny office. The forfeiture of a woman being a popish Recusant convicted (her hus- band not being so) after her husbands death. A Popish Recusant disabled to sue, as a person excommunicated. The penaltie of a Popish Recusant other- wise married then in an open Church. A Recusants child shall be baptised by a Minister in the open Church. The penaltie for burying a Recusant (not being excommunicated) otherwise then in Church or Church-yard. The penaltie of children which shall goe beyond the Sea, without Licence of the King, or of the private Councell. And the forfeiture of them which doe send them beyond the Sea. And the penaltie of them which are gone beyond the Sea without Licence. A Popish Recusant shall not present to any Benefice, nor graunt any auoydance to a Benefice: But the Chancelor and Scholers of the Vniuersities of Oxford and Cambridge shall haue the Presentations to the same. A Recusant convicted shall not bee Executor or Administrator to any, nor shall be Guardian of any Child. And who shall haue the educati- on of such a Child. None shall bring from beyond the Sea, print, buy, or sell, any Popish Primers, Psalters, Psanuals, &c. nor other superstitious bookes in English. Iustices of Peace may search Recusants houses for Popish Bookes or Reliques. Recusants Armour and Munition shall bee taken from them. The penaltie of a Recusant not declaring to the Iustices what Armour hee hath. The Ecclesiasticall Jurisdiction saued. AB. Recusants 60. &c.

6 All Marchants may trade into, and from Spaine, Portugal, & France, notwithstanding a Charter of Incorporation graunted by the King under the great Seale, to diuers Marchants, and their Companie, only to trade thither. AB. Marchants 19.

1. Jac. 5.

1. H. 4. 17.
14. H. 6. 6.

7. No Attorney, Solicitor, or servant shall be allowed any fee, or for money given for copies, without a Ticket subscribed by the receiver thereof. And they shall give unto their Clients a true Bill subscribed with their hands. The penalty of an Attorney &c. for delaying his Clients suit, or for demanding more than is due. Who onely shall be admitted Attorneys. None shall follow a suit in anothers name. AB. Attorney. 15. 16.

8. In what case onely execution shall be rated by Writ of Error. sued for Execution the renewing of a judgement given in an Action, or Bill of Debt. AB. Execution Rated.

9. Who onely may dresse or transport Conie skinnes. How many Conie skinnes or Lambe skinnes at the least a Marchant may buy or sell at one time. Whom onely a Skinner may take to be his Apprentice, Journeyman or Servant. How the forfeitures shall bee employed. AB. Marchants 20. &c.

10. An offender shall be conveyed to the Gaole at his owne charges, if hee be able to beare them, if not, at the charge of the Parishioners where hee shall be taken. The defendants plea in Trespass, or answer for any distress taken, or sale made by force of this Act. AB. Prison 7. 8. 9.

11. It shall be lawfull for enerie person to transport Beere with the Caske unto any place beyond the Sea in amitie with the King, when the price of Beere shall not exceed xviij. s. the Quarter. What impost and Custome the King shall have for Beere transported. This shall be no prejudice to the bying, ing in of Clapboord. AB. Come 6. Beere transported.

35. Eliz. 11.

12. The forfeiture of such persons as shall set by any new Weare along the Sea shoare, or in any Haven, or within five miles thereof: or shall destroy the Spawne or Frie of Fish: or shall fish with any draw net vnder thre ynches breadth. AB. Fish 23. Unlawfull fishing.

7. Jac. 13.

5. Eliz. 21

13. The penalties for unlawfull entring into any ground enclosed, used for the keeping of Deere or Conies, and unlawfully to hunt there, without consent of the owner: Or for any person not authorized to vse any Bowe, Gunne or Crossbowe to kill any Deere or Conies: Or to keepe any Bucke, Stag, Engine, Hayes, Gatenets, Burinets, Ferrets or Conie Dogs. The authority of the Iustices of Misse, Peace, &c. herein. AB. Forrests 9. &c. Iustices of Peace 34. Unlawfull hunting.

14. The Walls, Ditches, Bridges, Water-courses &c. within two myles of the Citie of London, which fall into Thames, shall be subiect to the Commission of Sewers, and to all Statutes and Penalties, made for Sewers. AB. Sewers 20.

15. A Remedie for a Trades man, Victualler, or Labourer in London, to recover a debt vnder pl. s. of a person of the like degree there. The penalty if a Londoner doe sue in any other Court for a small debt, or of him which refuseth to appeare befoze Commissioners there, or to performe their award. AB. Debts 2. &c. The Repeale of a Statute made 1. Iacobi 14. partly to the like effect. Small debts. in London.

16. A Repeale of the Statute of 14. Elizab. 10. ordained for the length of Bersepes. Of what length and weight ordinarie Bersepes, and of what sorting Bersepes shall be. The Kings Custome of such Bersepes. AB. Draperie 15. Bersepes.

17. No person shall incurre any penalty for want of a content Seale, to containe the length, breadth, or weight of Welsh Cottons. No Welsh Cottons shall be searched or tried in the water by any, but the buyer. AB. Draperie. 19. Welsh Cottons.

King James.

**New River
brought to
London.**

Recompence.

**Commission
at the Mayor
of Londons
charge.**

**The remedie
of the partie
grievd.**

18 It shall be lawfull to the Lord Mayor, Commonalties, and Citizens of the Citie of London, and their Successors, at any time hereafter, to begin and continue the laying out such convenient limits of ground, for the making of a Trench, for a River of running water to be brought to the parish parts of the said Citie of London, from the Springs of Catwell and Arnwell, and other Springs in the Countie of Hartford, not farre distant from the same, at the breadth of tenne foot, and not above, as to them and their deputies, and workmen, with the allowance of the Commissioners hereafter mentioned, or any seven of them, shall be seene convenient. And in that place they shall finde most meete for that purpose to take the vse of so much ground as shall containe tenne foote in breadth, and not above, during and by all the length, as the said new Channell shall passe, for the conveying of the said water from the said Springs to London, leading the inheritance of the New Cut in the owners thereof. And the said Mayor &c. and their Successors for ever, (for the consideration hereafter expressed) shall have libertie to digge the same ground, to bee employed for the said River, not exceeding tenne foote in breadth along all the said whole length of the said River or New Cut, and from time to time for ever to maintaine the same, and to lay the earth there to bee digged on either side of the said River in such places as shall be thought meete for that purpose, and to have free passage to and from the said River, with Pen, Horses, Carts, and Carriages, at all times convenient, and in places convenient, for the making of the said New Cut, and for the preserving of the same, and the Banks thereof, from time to time for ever, to the intent, that no part of the said Stream bee at any time after the making of the New Cut, without the consent of the Mayor &c. turned, or conveyed out of the said New Cut by Watercourse. In consideration whereof, the Mayor, Commonalties, and Citizens of London, and their Successors shall make such satisfaction or composition to and with the Lords, Owners, and Occupiers of the same grounds, through which the new River shall bee made, and with all such persons as shall sustain any losse or hinderance in their Millles, standing upon any of the Rivers or Streames from which the water shall bee taken, through the said New River, as shall bee to the contentment of the said Lords, Owners, and Occupiers of the said Grounds and Millles: And in default of their agreement by mutuall assent, such satisfaction as shall bee limited by the Commissioners to bee assigned for that purpose by the Lord Chancellor, or Lord Keeper of the great Seale, by Commission under the great Seale, or by any nine of them, whereof foure to bee Citizens of London. At the request and charges of the Mayor &c. of London, Commission or Commissions shall bee granted to such persons as the Lord Chancellor or Lord Keeper shall nominate, whereof foure shall bee of the Countie of Middlesex, foure of Essex, foure of Hartford, and foure of the Citie of London, everie of them having Lands of the cleare yearely value of fortie pounds, which freteene, or any nine of them, whereof two to be of the Citie of London, shall have the power to order and set downe, what rates or summes of money shall be made by the Mayor &c. of London to the Lords, Owners, and Occupiers of the Grounds, and Soyle, and Millles, for the which composition is to bee made by the intent of this Act, if the parties cannot of themselves agree and in what manner the same shall bee payed. And the partie to whom the same shall be due, shall or may recover the same against the Mayor and Commonalties of London by Action of Debt in any of the Kings Courts of Record at Westminster, wherein no C. D. or W. &c.

If there shall happen Breaches, Inundations, or Hurts in the New Cut, the Mayor &c. of London, at their owne charges, from time to time shall stoppe them and maintaine them, and make sufficient recompence to the parties greued, to be recovered by Action of the case, grounded vpon this Statute. The Mayor &c. of London, shall from time to time make Bridges and Waies for passage of the Kings Subiects, their Cattell and carriages, ouer or through the said New Cut, in places conuenient: And all things done for the scouring, cleansing, and amending thereof, shall bee at their charges. The Mayor, &c. of London shall not put the said digging in execution, vntill all the Owners, Occupiers, and Lords be agreed with. After the said New Cut, Streame or River shall be brought from the foresaid Springs to the Citie of London, the same shall bee subiect to the Commission of Sewers, and to the Lawes and Statutes made for Sewers. And all Fines and Amerciaments which shall be imposed by vertue of the said Commission of Sewers, for any wilfull offences, to the hurt of the said River, shall be to the vse and benefit of the said Mayor, Comminaltie, Citizens, and of their Successors for ever. R. AL. 4. Jac. 12.

Bridges and
wayes.

Sewers.

19. The Owners, Tenants, Fermors, Inhabitants, and Occupiers of Lands, Tenements, and Hereditaments, lying in the Hundreds of Kingston, Emlynbridge, Copthorne, Effingham, Wallington, Wotton, and Wigate (the Borough of Wigate excepted) in the Countie of Surrey, shall bee charged with the Repairing, Amending, and Maintaining of the High Way, leading from Ponsuch to Kingston vpon Thames, in the Countie of Surrey, as lyeth betweene Cwell, and the Hamlet of Talworth, in the Parish of Long Witten, from time to time for ever hereafter. The Iustices of Peace of the said Countie of Surrey, or foure of them at the least (whereof two to be of the Quorum) dwelling in the said Hundreds, or next thereunto, shall haue authoritie from time to time to call befoze them such, and so many of the persons, (as they shall thinke meete) which by this Act are bound to repaire the High way: And thereupon to take and make such Orders concerning the amending of the said High way, and for the charges thereof to make such assessments of money, or otherwise, vpon the said Owners &c. and all such as by this Act shall bee bound to repaire the said High way, as to the said Iustices shall bee thought meete, hauing indifferent respect to their severall abilities, neerenesse, remotenesse, and other like charges: Notwithstanding, the said Owners, Tenants, Fermors, and Occupiers of the said landes &c. in the said Hundreds bee dwelling out of the limits of the said Hundreds. And it shall be lawfull for the said Iustices, or foure of them &c. pearly to appoint Overseers for the performing of such Orders, and Collectors for the gathering of the money so to bee assessed: Which Assessments shall be leuied and employed onely towards the repairing and maintaining of the said High wayes, by such as shall be appointed Overseers by the said Iustices. If any shall refuse to pay the money so taxed, it shall bee lawfull for the said Collectors, or in default thereof, for the High Constables of the Hundred, where the Refusor shall dwell, or hold any Land, by warrant vnder the hands and seales of the said Iustices, or two of them, whereof &c. to leuie the same by Distresse, and sale of the goods of the party refusing, deliuering the residue to the Owner. And in default of such Distresse, to commit the Refusor to prison, vntill hee hath payed the same. The Collectors shall yearly account to the said Iustices, or foure of them, whereof two to bee &c. and deliuer the arrearages vnto them, when they shall be appointed.

The High
way from
Ponsuch to
Kingston.The Iusti-
ces of Peace
authoritie.Overseers.
Collectors.

If

King James.

Commissions
to execute this
Act.

Decis in
this commen-
ced upon this
Statute.

Passage by
Thames frō
London to
Dron.

Assessment.

If any appointed Duerfeer, or Collecto, doe refuse to execute that office: Or if any Collecto, being required, doe not make his account to the said Justices, and deliner by the arreragss, he shall forfeit five pounds. If the Justices of Peace of the said Countie of Surrey doe refuse or neglect to put this Act in execution within five weekes after the Sessions holden at Easter, then the Lord Chancellour or Lord Keeper of the great Seale, upon request, shall and may make forth Commission or Commissions vnder the great Seale to such persons as to him shalbe thought meete and sufficient to put this Act in execution. Which Commissioners shall haue authoritie to put the same in execution in euery part, as the said Justices of Peace of the said countie of Surrey should or might doe. If any Action of Trespass, or other suit shalbe brought against any person or persons, for taking a Distresse, making of Sale, or any other thing, by the authoritie of this act, the defendants therein, shall, or may pleade Not guiltye, or otherwise, make Auiowze, Cognisance, or Justification for the same, alleadging That the same was done by the authoritie of this Act, with out rehearfall of any other matter or thing: To which the Plaintife shalbe admitted to reply, That the defendant did the same Act of his owne wrong, without any such cause, whereupon the Issue in euery such Action shall be tried by the verdict of twelve men, and not otherwise, as is accustomed in other personall actions. And vpon the triall thereof, the whole matter being giuen on both parts in euidence, and after such issue tried for the defendant, or Ponsute of the plaintife after apparance, the defendant shal recouer treble dammages, by reason of his wrongfull veration in that behalfe, with his costs, to be assessed by the same Jury, or writ to enquire of dammages, as the same shall require. To continue vntill the end of the first Session of the next Parliament. R.

20 The Lord Chauncelour, or Lord Keeper of the great Seale, shall and may by his appointment and discretion, authorize by Commission eightene Commissioners, whereof five to be of the Countie of Dron, viz. one of the Vniuersitie, & one of the Citie, and foure of the said Countie, not being of the Vniuersitie, nor Citie of Dron, and foure of the Countie of Berkes, and foure of the Countie of Wiltes, and foure of the Countie of Gloucester. Euerie of which Commissioners of the said foure seuerall counties to bee chosen out of five, to be seuerally and respectiuelly nominated and certified to the said Lord Chancellour, or &c. by the moze part of the Justices of Peace of the said seuerall counties, assembled at their generall Assises, or Quarter Sessions: Which said Commissioners, or the moze part of them, shall haue authoritie to treat, compound, and agree with euery such person, as shal or may receiue hurt, losse, or detriment by any act or thing necessary to be done, for the clearing, effecting, or perfecting, of the Riuer of Thames, so as it may beare Barges and Boats vnto the Citie of Dron, and from thence into some part of the Counties of Dron, Berkes, Wiltes, and Gloucester, And in case any person shall bee obstinate, and will not reasonably be compounded withall, then to determine, and set downe, what, and how much recompence euery such person shall haue: and after such recompence, so agreed vpon, or set downe, by the said Commissioners, or the moze part of them, then it shalbe lawfull for them, or any person or persons, by them to be appointed, to digge, or cut away the land, soyle, and inheritance of any person, in, about, or adioyning to the said Riuer, which shall be conuenient and necessary for the moze free passage of the said Riuer, and the making of the same meet to carrie any vessel, Boate or Barge to the places aforesaid. The said Commissioners, or the moze part of them, shall haue full power and authoritie, to asseesse and take such of the inhabitants of the said seuerall Counties, as shal be likely to receiue benefit or ease by the said passage, and

and as well those in the Uniuersitie, as in the Citie of Dron, at such reasonable sums of money, as they in their discretions shall thinke fit and conuenient: The said sums to be imployed for and towards the satisfaction, as well of the persons dammified, as also for other necessary charges touching the effecting of the said worke, and the continuance and maintayning of the same. The said Commissioners, or the moze part of them, shall haue full power and authoritie at all times to appoint such persons as they shall thinke fit to gather the said sums of money, so to be assessed: Which Collectors shall haue power by way of Distresse, vpon deniall, refusal, or non-payment, within ten dayes after demaund thereof made, to leuie the same, and to make sale of the Distresse, and to deliuer to the owner the residue thereof. And the money so to be leuied, shall be deliuered and payed to the said commissioners, which shall make the said assessment, or to such as they will appoint, to be imployed with as much speed as may be to the purpose aforesaid. If any person, tared to pay money, doe refuse the payment thereof, or withstand their Distresse, or shall refuse to gather the money assessed, or deny to accomplish the order or commaundement of the said Commissioners, or the moze part of them, then he shall be Imprisoned, vntill he be conformed thereunto. If any person receiuing money towards the worke aforesaid, shall detain it, and not imploy it to the vse aforesaid, he shall forfeit the treble value of the sum detayned: whereof one poertie shall be employed towards the performance of the said worke, and the other to the Imprisoner, to be recovered in any of the Kings Courts of Record, by A. B. P. or J. wherein no C. P. or W. &c. If any shall find themselves grieved or wronged by the Commissioners order, or in default of satisfaction, then vpon complaint to the Iustices of the said countie, at their Quarter Sessions, they, or the moze part of them, may appoint such redresse, as in their discretions they shall thinke fit: And in default thereof the partie vpon suite exhibited, shall haue such reliefe in the Chauncerie as appertaineth to Justice, Right, and Equitie. The Vice Chauncelloz of the said Uniuersitie, and thre Senioz Doctors, being Heads, or chiefe Gouernors of Colledges, and the Mayo: of Dron, and thre Senioz Aldermen of the same citie, or six of them, whereof the said Vice Chauncellour and Mayo: for the time being, shall be two, shall order and determine all things touching whattorage, and all payments whatsoener, to be made, in, or at the said citie. No Inhabitant of any of the foresaid seuerall countiees shall be tared or Imprisoned, as is aforesaid, without the consent of two of the commissioners, or moze, of that countie, of, or in which he shall be Inhabitant. R.

Collectors.

Denying to pay, or to be ordered.

A remedie for the parties grieved.

wharorage.

21 The penaltie of Players on Stage, Interludes, Shewes, Maygames, Stageplayers, or Pageants, which prophanely vse the name of Gods. AB. Plaies &c. 8.

22 Within thre yeares after this Session of Parliament, the Iustices of Peace within the countie of Middlesex, in their Quarter Sessions, or out of their Sessions, any foure of them, shall and may assess and tare, according to their discretions, all, and euery the occupiers of any Houses, Gardens, Lands, or Tenements, and Owners of the Inheritances, or Freehold thereof, adioyning to Dury Lane, at either end, or at any side thereof, and all and euery, or any, of the Inhabitants of the seuerall Parishes of S. Gyles, S. Martins in the Fields, S. Clement Danes, the Sausy, and so much of the Parish of S. Andewes in Holbozne, as is within the said countie of Middlesex, being the six Parishes, into which the said Towne of S. Gyles, and Dury Lane, doe extend, or the occupiers of Lands within any of the said Parishes, with such sum and sums of money, towards the repaizing and pauing of the said Towne of S. Gyles, and Dury Lane, or so much thereof, as in the discretions of the

Pauing of S Gyles, and Dury Lane.

King James.

**Surueyours.
Collectors.**

said Iustices, or any foure of them, shalbe thought meet and conuenient. And the said Iustices shall and may appoint one of the Inhabitants in euery of the said Parishes, to be Surueyours of the works, and another to be Collector of the said summes of money: Who shall and may leuie by Distresse, and sale of goods, all such summes of money as shalbe assessed and vn timer paid, and make account of his receite and payments to the said Iustices, as often as they shall thinke meet. And after the said Lanes and Streets shalbe fully paved, all such houses, lands, tenements, and hereditaments, as are or shalbe next adioyning to the premises, shalbe yearely chargeable towards the reparation and maintenance of the said Lanes and Streets, at such rates as foure of the said Iustices of peace in their discretion shall thinke fit. R.

**Chepstowe
Bridge.**

23 A Repeale of the Statute of 18. Eliz. 17. Ordained for the maintenance, and new making of Chepstow Bridge. The Countie of Gloucester, and the Countie of Monmouth, shal for ever stand chargeable respectiuelly and severally, for the erecting, building, new making, and continuall reparation and maintenance of Chepstow Bridge, when and as often as need shall require, viz. The said Countie of Gloucester, from the middest of the said Bridge, or from the place where the middest of the said Bridge stood in the Riuer, for that part of the moiety of the said Bridge, which lyeth on that side, vnto the Lordship of Tiddenham. And the said Countie of Monmouth, from the middest of the said Bridge, or from the place where the middest of the said Bridge stood in the Riuer, for that part, or moiety thereof, which lyeth on that side, vnto the Lordship of Chepstow. The Iustices of peace, or any foure of them, in either of the said Counties, whereof one of them to be of the Quorum, severally and respectiuelly, shall haue power and authority to taxe and rate euery of the Inhabitants of the said severall counties of Gloucester, and Monmouth, as well within the Liberties, as without, to such reasonable summe or summes of money, from time to time, as to the said Iustices, or any foure of them, shalbe thought fit, needfull, and conuenient, for the building, new making by, and erecting of the said Bridge, and for the continuall reparation thereof: and after such taxation made, the said Iustices shall cause the names and summes of euery particular person, in either of the said Counties so taxed, to be written in severall Rolles indented: And shal appoint Collectors in euery Hundred, in either of the said Counties, severally and respectiuelly, for the Collection of all sums of money so by them taxed: which may distraine, and sell the Distresse for the money so taxed, being behind and vn timer paid. And also the said Iustices shall appoint foure sufficient persons out of the said severall Counties, to be Surueyours from time to time, as need shall require to Suruey and set forward the works for building and repaying of the said Bridge, into whose hands the said Collectors of the said Counties shall pay the money so by them leuied and collected: which Collectors and Surueyours being required, shal make account to the Iustices in either of the said Counties of their receits and payments: And for default and refusall thereof, shalbe committed to ward, there to remaine without baile or maynprie, vntill they make payment of such money as shall appeare to be by them detayned, and not imployed. The Iustices may assigne certayne persons, to aske and receiue of any passengers traauelling that way, any money or beneuolence towards the building of the said Bridge, as they without compulsion will giue, vntill the same be fully built. If any I. of peace hath, or shall detaine any summe of money, giuen or collected towards the new building or reparation of the said Bridge, he shall forfeit for euery such offence xl. s. R.

**The Iustices
of peace au-
thoritie.
Taxation of
the inhabitants**

Collectors.

Surueyours

Account.

Beneuolence.

14 The Bridge over the river of Severne, neere adioyning to the Towne of Apton vpon Severne in the Countie of Worcester, shalbe wholly made, builded, and finished within the space of thre yeares after the end of this Session of Parliament, by the inhabitants of the countie of Worcester (other then the Citizens of the Citie of Worcester, inhabiting in the said City, & that only concerning the Lands, Goods, & Chattels within the said city, & the Liberties thereof) vpon paine of forfeiture of 100. pounds for every yeare after the said iiij. yeares, that the said Bridge shall happen to be unfinished, to be payed by y^e inhabitants of the sayd Countie (other then the sayd Citizens) the one poorte to be employed towards the repaying of the said bridge: the other to him that will sue for the same in any of the Kings Courts of Record, by A. B. D. or J. wherein noe C. D. or W. &c. The Iustices of Peace in the Countie of Worcester, or any thre, foure, or more of them, to be nominated & agreed on by the Iustices of Peace of the said Countie, or the more part of them, at their Quarter Sessions, shall haue authorizty to asseesse & take every inhabitant from time to time, within the same (other then the foresayd Citizens) to such reasonably summe of money as they in their discretions shall thinke meete & convenient, vntill the said Bridge shalbe fully builded: & to appoint collectors to gather the same, who for default of payment may distraine, & sell the distresse &c. R.

The Bridge
by Wptō upon
Seuerne.

2. A Confirmation of four Subsidies of iij. s. in the pound, granted to the King by the Clergie.

Subdivies 4.

26 Three entire subsidies and six Fifteenes granted to the King by the Tempozalte.

Subsidies 3:
Fifteenes 6.

27 A Confirmation of the Kings generall agree Warron. Except etc.

Carbon.

Statutes made at the third Session of Parliament holden

by prorogation at Westminster 18. die Novembris, Anno

4. *Regis Jacobi & Annae Domini*

¶ A Repeale of these hostile Statutes hereafter mentioned, viz. of so much of the Statute of 4. H. 5. touching Letters of Part^{ie} by reprisall granted against the people of Scotland, as concerneth the said people of Scotland: & of a proviso contained in the Statute made An. 33. H. 8. by which the B. Subjects, inhabiting within 40. miles of the borders of Scotland, are permitted to be Crossbowes, Handgonnes, Harbubuts, or Demishakes, or to be or keepe them in their houses, or elsewhere: And the Statute of 7. R. 2. by which it is enacted, That no Armes, or Ammunition, or other refreshment be carried into Scotland, upon seizure or forfeiture thereof: & of the Statute of 31. H. 6. whereby it is enacted, That March Law be not observed in the Circuit of the Counties of South, Northumberland, Cumberland, & Westmerland, & the Countie of Newcastle: & of the Statute of 7. H. 7. whereby it is enacted, That Scottishmen shall avoid out of the Realm of England within a time prefixed in the Stat. of 3. H. 8. & 7. Eliz. touching the conveying of horses out of Eng. into Scot. is made felony: & of the Statute of 2. Ed. 3. P. 2. M. 8. & 23. H. 7. whereby it is enacted, & no lands or tenements be let in Scotland upon a lease by licence, or purchase thereof before, & none of the Articles, clauses, or conditions above said shall take effect, until these acts of Parliament of the realm of Scot. hereafter following (& also all other hostile Laws now hereafter mentioned) shall be made void and of no force, & the realm of Scot. be regulated by many laws, viz. One touching the Office of Lac. the 1. B. of Scotland whereby it is enacted, & all persons residing in Eng. without & in defiance

A Repeal of hostile laws

4.H.5.7.

33.H.8.6.

7.R.6.2.

31.H.6.34

7.H.7.7.

22. H. 8. 10.

1. Eliz. 7.

2.&3.P.&

M. I.

23. Eliz. 4.

King James.

**The hostile
laws of Scot-
land.**

did commit Treason: & another Statute made in the said k. raigne, whereby any assurance with Englishmen, for taking protection from them for lands or goods, is Treason: & another act made in y^e said k. raigne, inhibiting & buying & selling of English goods, forbidden vnder paine of forfeiture: and one other act made in the time of James the second, k. of Scotland, That none should passe into England in time of warre without Licence, vpon paine of Treason: and another act made in the said kings raigne, That no Englishman come into Scotland without conduct, & that no Scottishman sit vnder assurance with thē: and another act made in the said k. time, That no Scottishman supply Warwicke & Roxborough vnder paine of Treason: and another act made in the sayd k. time, that all men be ready for the defence of the Realme against Eng. And two acts made in the time of k. James the third, k. of Scotland, for resisting k. Edward 4. and another act made in his time, concerning the vpholding of Warwick, & garrisons vpon the borders: and one act made in the Raigne of Mary, late Qu. of Scotland, whereby, Scottishmen are charged to leaue assurance with Englishmen: Another Act made in the same Qu. Raigne, concerning assured Scottishmen assisting the English army: and one Act made in the Raigne of k. James that now is, containing, That the Scottish borderers are discharged to marry English borderers daughters: And another Act made in his time, enioyning the Warden to put in a bil the names of al Englishmen that occupie land in Scotland, & seeke redresse according to the Treatise. A repeale of the Statute of Anno 5. Richard 2. concerning the restraint of passage of the k. subiects out of this Realme, & of euery Ordinance, Provision, Article or Clause therein. A pardon of all offences. No person subiect of either realme shalbe punished, troubled, sued, deliuered, or remanded, or called in question for life, member, damage, restitution, or satisfaction, for, or by reason of any offences, wrongs, or trespasses (before the deatly of Qu. Elizabeth) which were determinable by the Lawes of the borders, or otherwize, which purposed actions of hostility by sea or land, by him or them committed, or whereunto he or they were accessories before, or after such offence committed, or p^{er}jury, or adding to the same, or for or in respect whereof he or they were or are pledges, or chargeable with any promise, kil, bond, contract, bills filed, sentence, decree, or other assurances giue, or take for y^e same only, or for so much only of such other assurances as was giue, or is in force for y^e cause, & no other. Trial of offences committed by Englishmen in Scot. & by Scottishmen in Eng. AB. Trial 10. &c.

5.R.2.2

**A Pardon of
hostile offences
done before
Qu. Elizabeth**

**The length,
breadth, and
weight of
Clothes.**

2. The length, breadth, & weight of clothes made of dyed wools, & mingled colours of log Worcestersters, of plankets, azures, & blues, of sorting cloths, of fine short Suffolkes, of handwarps, of colored clothes made in Wiltshire & Somersetshire, of short clothes made of died wools; & mingled colours within Wiltshire, of broad listed whits & reds made in Wiltshire, Gloucestershir, Dorsetsh. & the east limits of Somersetshire, of narrow listed whits & reds made in those shires, of fine clothes with plaine lists made in Wiltshire, Gloucester, & Dorsetshire, of clothes hauing fop lists, of Tauntons, Bridgewater, & Wiltshire of narrow clothes made in Somersetshire of broad Clothes, & narrow clothes made in Dorsetshire, of Devonshire kerfies called dozeng, of check kerfies, of ordinary penitions, of soresk whites, of sorting penitions, of rogware, kernal, & carptmales, of wash whites made in Dorsetshire & Lancashire. The penalties for roving or rasing of Cloth, or of the lists of Cloth, or cutting the wools from the backs, or for blowing of cloth. In what cloth Flors, Whymmes, or lambs wools may be put, and the meane to know it. Places where woads, flannel, couerlets & blankets be made. The forfeitures where the cloth is longer then is appointed, and where it wanteth weight or breadth. A repeale of former Statutes

Statutes concerning the length, breadth, & weight of cloth, & of certaine of their penaltie giuen to other persons: Of searching & sealing of cloth, and of faulty cloth not certified by them: Of duties and payments for broad woollen cloth: every Clothier may make any kind of cloth. The things duties & his officers reserved. AB. Draperie 129. &c.

23.H.8.13.
8.Eliz.2.

3 If the plaintife in an action of trespass, or Eiectione firme &c. be nonsuit, or that the verdict doth passe against him, the Defendant shall recover costs against him. AB. Damages 6.

Costes of suit.

7.Jac.10.

4 None shall sell Ale or Beere to an Ale-house-keeper, not having a licence other then for the expence of his household only. AB. Alehouse 10. &c.

Selling of ale

5 The penalties of a drunkard for his first offence, and for his second offence and for him that continueth drinking in an Alehouse in the Towne where he dwelleth. AB. Drunkenness 1. &c.

A drunkard.

6 No person shall incur any penalty for housing, selling, or buying of any Tanned Sheepe-skins unsearched or unsealed, so as they be converted into made wares within this Realme. No Leather shalbe sold by weight. AB. Leather 36. 54.

Sheepskins.

7 Whereas Hugh Westwood of Chedworth in the County of Gloucester, Esquire, deceased, by his last will & Testament in writing, bearing date 1. die Maij An. 1. Eliz. did will, bequeth, & devise to Edmund Lord Chandos, & rj. o. thers, & to their heires & assigns for ever, & rentzie & parsonage impropriat of Chedworth aforesaid, whereunto & presentation of & Vicarage of Chedworth aforesaid is belonging: and one messuage, one close, & two yard land & a halfe in Chedworth aforesaid: To & only use & intent, & the said devisees, their heires & assignees, with & profits thereof, should found, erect, & maintaine a Grammar Schole for ever in & Towne of Porthleech. By which will, & nomination of & Scholemaster of & said Schole was appointed to & heires of the devisee, and & determination of all doubts was referred to & Just. of Assise of & said County of Gloucester: after which, & last surviving devisee seeking to defraud the trust in him reposed, made a lease to one of his own sons of & said parsonage & other & premises for a very small rent, & conveyed & inheritance of the reversion thereof to another of his sons: and & heire of & devisee entered upon & same parsonage &c. challenging the same as heire to & devisee, & seeking to impeach the said will. Wherefore upon complaint made by & Scholemaster & inhabitants of Porthleech aforesaid, first in & Chancery, & after in Parliament, it was enacted, That the Schole of Porthleech aforesaid shalbe incorporated & founded in name & deed a body politique and corporat, to have continuance for ever, by the name of & Scholemaster & other of & free grammar schole of Hugh Westwood Esq. in & Towne of Porthleech, & by & name shal hold all & every & said parsonage & premises, lands &c. intended by & said Hugh & inhabitants of Porthleech to the said schole (& patronage of & vicarage of Chedworth only except) & & reversion of & same, & every rent reserved upon any demise thereof. And by & same name shal have ability & capacity to demise & grant their possessions, & to take & purchase, sue & be sued, and to performe every other latofull act, good or profitable for & said incorporation, as any other incorporations, body politique or corporat may do. And & Willi. Lackbarrow shal be & first scholemaster, & John Scorie & first other of & said schole: and & they & said Willi. & John & their successors shal have a common seale for & making of their leases, & doing of every other thing aforesaid, in which shal be the name and armes of Hugh Westwood shalbe engraven. And the & small and scholars of M. Colledge in Oxford, & their successors shal nominate under their Colledge Seale a Scholemaster, a Graduate of the same Universitee, and an other trained up in learning in the

The Schole of Porthleech in the countie of Gloucester.

King James.

same vniuersity, as oftē as such place shalbe void by death, resignatiō, depriuation, or otherwise, within one moneth after the voidance of the same place. And if they doe it not within one moneth, then the Justices of Assise of the said County shall make the same nomination within one moneth after that by their writing, of such like man aforesaid. The said prouost and Scholers of R. Colledge shall haue authorizty vnder their Colledge seale to prescribe such orders, rules, statutes, and ordinances, as to them shall seeme meete, for order and gouernment of the said Schole, and of the Scholemasters, vthers, and Scholers thereof, which shall stand in full force and strength in Law: So that they be not repugnant to the kings Prerogatiue, nor to the Lawes or Statutes of the realme nor to any Ecclesiasticall Canons. And they shall haue authorizty to visit the said Schole, and to refoyme all abuses touching the gouernment of the same, and to depriue the Scholemasters and vthers thereof, as to them shall seeme iust: So that the visitation be by the Prouost himselfe, and one of the fellowes or by two of the Fellowes at the least. Al controuersies that shal arise between the said Prouost and Scholers, and the said Scholemaster and vther, or the inhabitants of the said Towne of Poorthleech, or either of them, shalbe decided by the Just. of Assise of the Countie of Gloucester, by writing vnder their hands and seales. The said Prouost and Scholers shall haue to them and their successors for ever the patronage of the vicarage of the Church of Chedworth aforesaid, and may present their Clerke so often as it shall become void. All Leases conueyances, and estates to be made of the said parsonage, and other the premises, or of any part thereof, shalbe void (other then leases for yeares) whereupon shalbe referred to the Scholemaster and vther, for the said parsonage, the yearely rent of 50. l. or moze: and for the mesuage and other the premises xxvj. s. viij. d. payable at fourse vsuall feasts in the yere, whereunto the said Prouost and Scholers vnder their Colledge seale shall giue their consent. No Lease to be made of the premises shalbe good any longer then such Scholemaster as shal make such Lease shal continue Scholemaster there: saving one Lease to be made befoze 25. die Martij, Anno Dom. 1610. for twenty one yere, or thye limes vpon the rents aforesaid, for the rayling of a fine, therewith to discharge former titles thereunto. And the Prouost and Scholers aforesaid shal vnder their Colledge seale set downe and appoint, how the rents & profits of the premises shalbe diuided and proportioned between the Scholemaster and the vther, so as the whole be deuided betweene them. This Act shall not make void a Lease of the Parsonage and premises made to Iohn Stone and Thomas Hyll for terme of yeres, whereupon is reserved 50. l. rent perly: for to defeat an annuitie of 30. l. yearly, ordered and decreed to Eustace Apparie, sonne of Thomas Apparie, the suruiuing deuisee of the fozenamed Hugh Westwood. Saving to the King and all others all such right, title, estate, condition, profits, and demands, which they or any of them shall or ought to haue in the said Parsonage, and other the premises. R.

Controuersies
shalbe decided
by the Justices
of Assise.
The patro-
nage of the
vicarage of
Chedworth.

What assu-
rances shalbe
good and what
not,

How long the
leases shall
continue.

A former lease
and Annuitie.

Others
rights saved.

Appoyning of
Lefue marsh,

8. It shall be lawfull for William Burrell of Ratliffe in the Countie of Middlesex Gentleman, his Heires, Executors, and Assignees, and for his and their Seruants, Deputies, Carpenters, and Workemen, and his and their Carts and Carriages, at his and their costs, at all times vntill the tenth day of October, which shalbe Anno Domini 1609. to inne, fence, and win from inundation and overflowing of the Riuer of Thamise, all and singular the grounds and parches lying in the drowned parches of Lefnes and Fants now surrounded, according to the purpozt and effect of certaine Indentures made betweene the Lords and owners of the same surrounded grounds and him, and to labour, doe, and accomplish things necessary during the saydtime, about

23. Eliz. 13
27. Eliz. 27

about the lining, winning, and fencing of the said grounds and marshes: and for the innning, fencing, maintaining, and contriving of the same; to cut and take so much growing reed and earth in any place of the said drowned marsh, so that he or they dig not within xx. rods of any wall already made within that Marsh. And immediately after the substantiall innning, fencing, and winning of the said grounds and marshes from the water, and floudes, the said William Burrell, his heires and assignees shall have and enjoy to him, his heires and assignees for ever, the one halfe of the said ground to be innned, according to the meaning of the said Indenture: And the other Poytie shalbe to the Owners of the said Marsh ground so to be innned, according to the severall proportion of their quantities, estates, rights, titles, and interests which they now have in the said grounds to be innned. And the said Poytie assigned to William Burrell, and his heires and assignees, after partition, shalbe holden of Edmond Cooke Esquire, as of his Manor of Lesnes and Fants in the Countie of Kent, in free Socage, by Fealtie, and one penie rent for everie Acre, and not in chiefe, or by Knights service. And the sayd Marsh ground so to be innned shalbe discharged of all Withes and Wenthes during seven yeares next after the winning and fencing of the same. And after the innning of the sayd Marsh ground the Lord Chancellor will upon suit graunt a Commission to certaine persons, to make partition betweene the sayd inner and the Owners of the sayd grounds, according to the severall proportion of their quantities, rights, titles, and interests. Aswell the sayd inner as every owner, shall have convenient waies and passages through their sayd grounds. The Owners parts innned, shalbe holden of Edmond Cooke, as of his foresayd Manor, as they are now holden by Fealtie, and a penie an Acre, to be payd at the Feast of S. Michaell the Archangell yearly. R.

9 The Statute made Anno 3. Jac. 6. whereby all Merchants be set at Liberty to Trade into Spaine, and from Spaine, Portugall, and France, notwithstanding a Charter of Incorporation graunted by the King, vnder the great Seale, to diuers Merchants and their Companie, only to Trade thither; neither doth, nor shall dissolve, adnihilat, or impeach the Charter graunted by M. Elizabeth to the Mayor and principall Citizens of the Citie of Excester, or the said Company, in any of their priuiledges or liberties graunted vnto them by the said Charter. AB. Merchants 19.

The liberties
of Merchants
of Excester.

10 Whereas King Henrie the sixt did graunt to the Mayor, Bailifes, and Burgesles of the Towne of Southampton, and their Successors, a Charter (which hath beene since confirmed by many other Princes) restraining all Merchants not being Free of the Liberties of the said Towne, to buy or to sell any manner of Merchandize within the said Towne, or the Liberties thereof, upon paine of forfeiting the said Merchandize, to the said Mayor, Bailifes, and their Successors. Now it is enacted, that so much of the said Charter, as both concerne the premisses, shall from henceforth stand and be good and effectual in the Law, to all intents, according to the true meaning of the said Charter, and that the same be confirmed by this Parliament. No person not being Free of the said Towne, shall buy any Merchandizes within the said Towne, or the Liberties thereof (Salt and Sea Fish only excepted) of any other, not being Free of the said Towne, nor sell any Merchandize (Salt and Sea fish only except) within the said Towne, or the Liberties thereof, to any person or persons not being Free of the said Towne, upon payne of forfeiture of all such Merchandize, so bought, or sold, to the Mayor, Bailifes, and Burgesles of the said Towne, and their Successors. But any person may buy within the said Towne, or Liberties, any provision for his owne house, so as the same be expended

Liberties
graunted to
Southamp-
ton, confirmed

King James.

The Cinque
Ports.

expended there, and not in any sort sold againe. And any person may buy and sell in the time of Faïres there, or aboord any Ship within the Port of South-
hampton, of any person whatsoever. Provided that this Act shall not extend
to the Barons, or the free men of the Cinque Ports, or of the members to them
belonging: but every of them shall enjoy such Liberties within the said town
of Southampton, and the Liberties thereof, as heretofore have bene grante-
ted to the said Ports. R.

Garden.
Bodenham,
Wellington,
Sutton.
Burton.
Pipe.

II Every owner and fermor, their heires, successors, and assignees of any
Manors, Capifall messuages, Tenement, or Ferme, within the Manors,
Lordships, and Parishes of Garden, alias Gwarden, Bodenham, Welling-
ton, Sutton S. Michaele, Sutton S. Nicholas, Burton upon Lugg, and in
the Parish of Pipe, in the County of Hereford or any of them, that have not
alreadie so much of their Land, Meadow & Pasture, belonging, or occupied to,
or with their severall messuages, Tenements, or Fermes inclosed and kept in
severall, as doth amount to the cleere third part thereof, may at his and their
pleasure severally, and respectively at all times hereafter inclose and kepe in
severall, so much of their said lands, meadow, and pasture, now at the first day
of this Session of Parliament, belonging, or occupied, to or with the sayd se-
verall messuages &c. as together with such thereof as they should alreadie in se-
verall, shall amount unto, and make up a cleere third part of all the Lands
meadow, and pasture, which they doe, or shall so there hold, belonging, or occu-
pyed, to or with the said severall messuages, or &c. to be holden and kept in se-
verall, to the maintenance of tillage of the errable lands belonging or occupy-
ed to or with the sayd severall messuages, &c. respectively, according to the e-
states of them that are severally interrelled in the same, leaving the other two
parts thereof, in thre parts to be divided, severally and respectively to lie, and
continue as the same have heretofore bled to lye. But this shall not extend to
any ancient Masses and Common ground, that hath bene bled to be a perpe-
tuall Common, and Mass ground by all the yeare, for that shall so remaine
still as a perpetuall Common. Provided alwayes, that this Act shall not ex-
tend to such land, hereby to be kept in severall; where any person hath or ought
to have the hay or first besture or pasture only, of any Land, meadow, or pasture
whereof the Inhabitants of the Towneshippe, or Parish where the Land
doth lie, have bled to have the whole later math; later crop, or edgegrowth ther-
of to themselves, and the owner of the said Hay, first besture, or pasture, no
part of the later math &c. But those which have so had, and bled to have the
said later math, &c. may enjoy the same, in such manner as they have accus-
tomed. This Act shall not helpe them who come into their lands by a wrongfull
title. No person shall be hindered or stopped of his lawfull way, by reason of
such inclosure. Every person that shall inclose or keepe in severall any land,
&c. by vertue of this Act, shall bee abated of his common in the common fieldes,
and common pasture, belonging to the said Townes, proportionable, after the
rate and qualitie of the lands so to be kept in severall: But he may have his
common in places communicable there ratably for the residue of his lands. The
freeholders and Copiholders of every of the said townes respectively, their
heires, and Assignees, or the greater number of them, may from time to time,
rate, and stint every person, his heires & assignees, which shall inclose, and
keepe in severall Land, meadow, or pasture, by vertue of this Act, what, and
how many cattell of all kinds, such person, his heires, and assignees, shall keepe
upon the commons of the sayd Manor, Parish, or Towne, where such land
shall be inclosed and kept in severall. And he that shall keepe more cattell than
shall be so rated, shall forfeit for every beest which he shall keepe above such
stint

Inclosure of
a 3. part.

Antient Masses

The first crop

Highways.

Abatement of
Common.

Stinting of
Inclosures.

Ant. xij. d. for every weeke, whereof the one halfe to the poore of the parish, & the other halfe to the Lord of the Manor. And every Lord of any of the said Manors, & their Stewards, shall haue authoritie within their Lets & Court Barons, to inquire & take Presentments by the othes of Jurors, of every offence committed, & leuy by Distresse al such sums of money as shalbe forfeited, & shall within one weeke pay the moiety thereof to y^e Churchwardens & Overseers of the Parish where the offence shalbe committed to the vse of the poore of the same Parish. But if a man build a Cottage, vpon any of the Land so to be kept in feueraltie, or shall lay any of the said Lands to a Cottage for habitation & dismember the same from the messuage to which it is now belonging, then y^e Lord of the said Manor, or his officers, or the homage may by the order of the Court of the said Manor, lay open & into common the same Land at Summer seasons of the yeare, in such maner as the same was formerly vsed. Provided neuerthelesse, that the later math, or later crop of the medows, & pastures called Simdel, Witterday, Dolemedow, the Groves, the Old lands, the Westheyes, & the Wirgins, & certaine smaller medows & pastures to them severally adioyning, shall and may be hayned, inclosed & vsed yearely for Dren & Kine, after Haruest, as most commonly they haue bene. And that this Act shall not extend to alter the blage of the great medow, in or nere Sutton S. Michael, & Sutton S. Nicholas aforesaid, called Lug medow, or any part thereof, otherwise than it hath bene vsed. This act to continue but to the end of the last Session of the next Parliament. R.

Over charging his stint.

Laying the lands to a cottage.

The later crop of grounds

Lug medow.

12. At any time or times after the laying out of such convenient limits of ground for the making of the Trench, or conueyance of the water to the South parts of the Citie of London, at the breadth of x. foot, & not above, as to the Manor & Comminalty, & Citizens of the said Citie of London, & their Deputies & workemen with the Commissioners in the act of 3. Jac. mentioned, or any senen of them, shalbe seene convenient for the same, & in that place that they shal find to be most apt & meet for that purpose, according to the true meaning of y^e said Statute. The Manor & Comminaltie, & Citizens of the said Citie of London, & their successors, Deputies & workemen, for the consideration in the said former Act expressed, shall haue libertie not only to dig the same ground to be imploied for the said River, or new cut, as in the said former Act is expressed, but also in the same place where they shal think most meet for the said new cut or passage of water, to frame, erect, & make a trunke or vault of brick or stone, for the passage of the said water to the South parts of the said Citie of London not exceeding x. fote in breadth, in such maner & forme to be laid vpon earth, or vpon arches, as to the Manor, &c. shall seeme meet. And from time to time for ever to maintaine, & preserve the same trunke or vault, and to that purpose to haue like libertie, & free passage to & from the said trunke or vault, for making, erecting, maintaining, and preserving thereof, from time to time for ever, as they might haue had by the intent of the said former act, to or from the said new cut, or River, with men, horses, cart, and carriages, at all times convenient, & in places convenient for the making of the said new cut or trench, and for the preserving of the same from time to time. Any thing in the said former Statute, &c. notwithstanding. R.

I meane to bring water to London.

3. Jac. 18.

Francis Windall Esquire, Henry Farrer, & John Cooper Gentlemen; who haue undertaken to do their best endeavour to effect at their own costs and charges, the draining of certaine Fennes, and low grounds within the Isle of Ely, subiect to hurt by surrounding, for the considerations hereafter mentioned, their heires & assignes, shal haue full power by vertue of this Act, during vij. yeeres next ensuing the end of this Session of Parliament, to drayne all the fetines

King James.

Draining of
fennes in the
Ile of Ely.

The undertakers
reward.

Grounds drai-
ned, againe
drowned.

Other mens
grounds.

fennes and low grounds, subiect to hurt by surrounding in y^e said Ile of Ely, that lie & be inclosed with y^e banks, beginning at Beakes Mill, & from thence by Tower house, to Hobs house, & so to Wilney Burne, from thence by Sparies Dam, & so by Elme Leame to Friday Bridge, & from thence to Redmays Dike, & Wedgale, & so by Gold Dike to Beakes Mill againe. And for the doing thereof to make of new, or to repaire in all places needfull, such and so many drains, loads, dikes, banks, sluices, & other works of Sewers, as they shall thinke mete (not being in Marsh land within the old Botwike) for conveying to the Sea as well of the lock & downfall, as of the overflowing of Riners and land floods, satisfiying y^e owners of such severall as they shall cut, & such persons as they shall otherwise damme, such money, or other valuable recompence, as by y^e Commissioners of Sewers at the least, whereof iij. inhabiting within y^e said Ile, & iij. within the County of Suffolke, shall be ordered & set down. Immediately after the said grounds shall be drained, according to y^e true meaning of this Act, y^e said undertakers, their heires & assignes, for & in consideration thereof (& of y^e perpetuall maintaining & preserving of the same draining, as in this Act is hereafter mentioned) shall have, hold & enjoy, to them, their heires & assignes, for ever in severallty, two full parts in iij. to be divided of all y^e said Fens & low grounds, the same to be set out by metes & bounds before y^e Feast of S. Michael y^e Archangell, which shall be An. Dom. 1603. by y^e severall owners of y^e said Fennes & low grounds, or in default of any of them, then at any time after by six Commissioners of Sewers at y^e least, whereof iij. inhabiting within the said Ile. And y^e said full ij. parts shall be held of y^e severall Lords of whom the same are now holden in free & common Socage, by fealty only, for all manner of services, & not in Capite, nor by Knights service. And likewise the said ij. full parts shall be freed for paying any manner of Tithes untill y^e Feast of S. Mich. y^e Archangell next ensuing the end of vij. yeares after y^e time limited for the draining aforesaid. Provided nevertheless, that if any of the said fennes or low grounds, after they be drained, shall be againe surrounded, in default of y^e said undertakers, their heires, or assignes, and so doe continue at any time between the feast of S. Michael y^e Archangell, & the Annuntiation of the blessed Virgine Mary, then next following, by the space of ij. moneths together, or do so continue at any time between y^e feast of the Annuntiation &c. and the feast of S. Michaele then next following, by the space of one moneth together, and not in the meane time amended by the said undertakers, their heires, or assignes, that then & so often it shall and may be lawfull for every owner of the grounds so surrounded, and not amended, by the view & appointment of six Commissioners of Sewers at the least, whereof foure inhabiting within the Ile of Ely, being assembled for that purpose, to enter into the full ij. parts which were divided and set forth from his grounds so surrounded, for the said undertakers, as aforesaid, and y^e same to have and enjoy according to his former title, estate, and interest, untill the same Fennes and low grounds so surrounded, shall be recovered againe, by new draining, or repaire, at the costs and charges of the said undertakers, their heires or assignes. Provided also, that the authority given by this Act to the said undertakers, their heires or assignes, for the draining of the said grounds, shall not extend to give any power to cut and draine thowth any other grounds in any other manner, then by the Lawes and Statutes of this Realme heretofore made, they may lawfully doe.

Statutes

Statutes made at the fourth Session of Parliament begun

and holden by prorogation at Westminster, 9. die Februa-

ry, An. 7. Reg. Jacob. & An. Dom.

1609.

¶ 1 If any English man shall commit Felonie &c. in Scotland, and fly into England, then the Just. may send the offendor into Scotland to be tryed, notwithstanding the Stat. of 4. Jacob. 1. But a like Law is to be made in Scotland. AB. Triall 10. Trial of an Englishman in Scotland.

2 All such as are to be naturalized, or restozed in blond, shall first receive the Sacrament of the Lords Supper, and the oath of Allegiance, and the oath of Supremacie. AB. Crowne &c. 11. Naturalizing Restozing in blond.

3 How money given to be bestowed for the binding out of poore children to Trades and Occupations shalbe employed, and by whome. And how such money shall from time to time be preserved. AB. Hospitales &c. 20. &c. Money given to apprentices

18. Eliz. 4.
39. Eliz. 4.

4 A Confirmation of all Lawes and Statutes in force made for erecting of houses of correction, and for punishing of Vagabonds. Beseze the feast of S. Michaele Anno Domini 1611. there shalbe a house of correction provided in every Shire to set idle persons on worke. The forfeiture of the Justices of peace if the houses of correction be not builded by that time. A Governour shalbe appointed of every house of correction, and his authoritie. Prinie searches shalbe made for idle persons. The Governours of houses of Correction shall have allowance for their paynes. The punishment of lewd women which have bastards. A Remedie for them that run away and leaue their children to the charge of the Parish. The Governours of houses of correction shall give account to the Justices of such persons as be committed to their custodie. AB. Vagabonds 15. &c. Houses of correction. Vagabonds.

5 If any Action, Bill, Plaint or Suit shalbe brought against any of the officers for doing of any thing concerning his office, the Defendant may plead the generall issue not guiltie, and give the speciall matter in evidence. AB. Pleading &c. 2. The pleading of an officer.

6 Who shall take the oath of Obedience to the King, and by whome it shall be ministred, and within what time. The penalties for refusing the same oath. The penalties of a married woman refusing to come to Church, or receive the Communion. AB. Recusants 60. 61. 62. 63. Taking the oath of Obedience. A woman Recusant.

33. H. 8. 6.

7 The punishment of a Shoeter, Carder, Kember, Spinster, or weaver of Wooll or Yarne, that doth imbesill or detain any part of the Wooll or Yarne delivred to him by the Clothier. And likewise of him that doth receive the same. The penaltie for a Spinner in Ester that shall receive any Wooll, and shall deliver the Yarne made thereof by a Shoeter Keele. AB. Draperie 168. &c. Houses by workers of Wooll.

8 The Statute of 2. & 3. P. & M. 3. Touching keeping of Milch Kine, and breeding of Calves shalbe extended as well to the grounds sitthence that time inclosed, as hereafter to be inclosed. AB. Cartell 3. Keeping of milch Kine.

9 Our Soueraigne Lord King James for the defence of Religion now established in England, and for the Refuting of Heresies Repugnant to the same, hath founded a Colledge at Chelsey neere London, therein to place certaine learned Divines, & to incorporate the same by the name of Brounst and fellows of the Colledge of King James in Chelsey neere London, and hath endowed them with Lands, Privilleges &c. And hath given them a capacitie to receive from him and his Subjects Lands, Hereditaments &c. Benefits, and profits, not

A Colledge at Chelsey.

King James.

Digging a
Trench out of
the River of
Lee.

not exceeding in the whole the yearely value of three thousand pounds. It is enacted that it shalbe lawfull to the said Wrouoff and Fellowes their Successors, Deputies, and assignes, at all and every place in the open fields or parishes lying betweene Locke Bridge in the Parish of Hackney, and Bowe Bridge at Stratford Bowe in the Parish of Stepney, with the consent and allowance of the occupiers and owners of the soyle, in the sayd places to digge or cut a Ditch or Trench out of the River of Lee not exceeding ten foot in breadth, or to scoure or enlarge to the breadth aforesayd, any old Ditch or Trench there already made: And upon the same Ditch, or places adioynning thereunto to erect Engines, Water-wozkes, or water-wheeles, and houses or coverings for the same, and to convey so much Water of the said River, as shalbe necessarie and requisite to be used for the working and motion of the said Engines or Water-wheeles. And they may dig for opening of Springs of fresh water to be found on the West-side of the said River, and convey the same, by and through little Cutters, or Trenches, or Pots or Pipes under the ground into a Pond, Pit, or head of convenient largenesse. And they may convey the water from the water-wozkes in Pipes under the ground unto the Citie of London and the Suburbs thereof, for the perpetuall maintenance and sustentation of the said Wrouoff and Fellowes and their Successors by the Rent to be made of the said waters conveyed as is aforesaid. And the Wrouoff &c. may dig and open the ground for the laying of Pipes and making of Conduit heads and shall cover the same with Turfes, &c. And the same Wrouoff &c. shall have free passage through any ground for the making and continuall preservation of the same wozkes. Commissioners shalbe appointed under the great Seale to set downe the rates of the damages which every person shall sustaine by the making and repaying of any the said wozkes. Each persons remedie to recover the recompence assessed. Certaine places exempt, through which the water is not to be conveyed without the consent of the owners and occupiers, viz. the house, garden or Orchard of any person or persons, and Cozne fields, while the Cozne is growing or standing in the same. R.

His house.

10 The penaltie for an offence committed against any of the branches of the Statutes of 1. Jac. 9. or 4. Jac. 5. AB. Alehouse 14.

Taking of
Pheasants and
Partridges.

11 The penaltie for killing of any Pheasant or Partridge by Hawking, betweene the first day of Julie and the last of August. Who may take Pheasants and Partridges: where and when. The penaltie for taking any Pheasants or Partridges with setting Dogs, Nets, Snaces, or Engines. Some Officers may search the houses of persons suspected to offend. AB. Pheasants &c 10. 11.
12 A Repeale of part of the Statute of 1. Jac. 27. Touching taking of Pheasants and Partridges.

11. H. 8. 17.
23. Eliz. 10.

A Tradesmans
shoppe
Booke.

12 In what case a Tradesman or Handicrafts mans Shop Booke shall be no Evidence to recover a debt. Entercourse of traffique between Merchant and Merchant, &c. AB. Debts, Debtors 6.

38. Ed. 3.
5. Eliz. 6.

Hunting of
Deere.

13 A Repeale of a Wronso contained in the Statute of 3. Jac. 13. concerning the hunting of Deere. The forfeiture for hunting, taking, or killing of Deere in a Parke, or inclosed ground. AB. Forests 10.

7. Eliz. 11.

Hornes.

14 No Stranger shall buy English Hornes unwrought in London or within foure and twentie Miles compasse thereof. None shall sell English Hornes unwrought to a Stranger, or to send them unwrought over the Sea. The Wardens may search for insufficient Hornes. AB. Hornes &c. 1. &c.

4. Ed. 4. 3.

Debt assigned

15 What Debt onely may be assigned to the King. AB. Accomptants & Debtors to the King 54.

16 Cer.

1. H. 4. 16.

16 Certaine course clothes made in the North parts, which shall not bee Course Poy-
searched nor sealed, nor any custome or Aduynage paid for them. AB. Draperie then cloth
116.

17 There shall be no burning of Ling, Heath, &c. or other Poye-burnings, Poye-bur-
ning 2.
in certaine counties of this realme, in the five moneths of Summer. AB. Bur-
nings.

18 All persons within the counties of Devon & Cornetwall may fetch Sea Sea land
land for the bettering of their land. AB. Husbandrie 32.

19 Whereas the Pairo, Bailifes, and Comminaltie of the citie of Cr-
cester, were seised in fee of an auncient Weare made of timber, called Cali-
bere Weare, standing vpon the River of Cre, and neere to the said Citie: An old weare
of timber de-
cayed, did
stand vpon the
riuer of Cre.
Which Weare conueyed sufficient water from the said River, as well to
Grise Mills, and Fulling Mills, belonging to the sayd citie, as also vnto
all the Dyers, and other Artificers, dwelling &c. But the sayde Weare
(about the Feast of the Birth of our Lord was two yeares) with an vnusu-
all great frost, was decayed in the Foundation, and after violently rent in-
to peces, and carryed quite away. Whereupon the said Pairo, Bailifes,
and Comminaltie were enforced to make a new Weare of Stone ouerthwart
the said River, about the space of foure hundred foote about the place where
the said former Weare did stand, and also to cut a new Pilleate, or Trench,
for the conueyance of the said water to the said Mills, through a strong rocke:
for the making of which the said Pairo, &c. did expend about the summe of
two thousand markes, in doing whereof, the said Pairo, &c. were carefull to
preuent all damage which might ensue to anie thereby. Neuerthelesse,
for as much as since the making of the sayde Weare and new Pilleate, cer-
taine persons (being owners, fermors, or tenants, of certaine lands adioi-
ning, or not farre distant from the said Weare and Pilleate) doe pretend,
that by erecting of the sayde new Weare, their grounds are sometimes
(more than heretofore) ouerflowne, when by much raine the River of
Cre doth exceed his ordinarie greatnesse: And doe therefore threaten to sue
and implead the said Pairo, &c. in the Law, for erecting the sayde new
Weare where it now standeth, and of the sayde new Pilleate: Or other-
wise to breake it downe at those places whereunto the sayde new Weare
is annexed, and where the sayde Pilleate runneth: Which if they should
indeede doe, then the whole estate of the Citie should be thereby much de-
cayed, Because the continuance and maintenance of the said new Weare
and Pilleate, is of so great moment to the welfare of the said citie, as
without which the same cannot well subsist. And it standeth with the
rule of equitie and iustice, that those which receiue so great benefit by the
same, should yeeld sufficient recompence to anie person whomsoever su-
ffrayning anie detriment thereby, bee the same neuer so small. There-
fore be it enacted, That the sayd Weare and new Pilleate, and euerie
part of the same, shall alwayes from henceforth stand, bee, and remaine,
where they now are, without anie remouing, let, or disturbance, or anie
Suit or Action to bee brought by anie person or persons whatsoever. And
that it shall bee lawfull to and for the said Pairo, &c. and their successors,
from time to time, and at all times for ever hereafter, to haue free entrie and
passage to and from the said Weare and Pilleate, by, in, and through all
places conuenient, for and with their Seruants, Workemen, Horses,
Carts, Carriages, and other necessities, for the repairing, preserving, and
amending the same. And for recompence to be giuen to such persons which
now

The new
weare and
Pilleate shall
stand.

King James.

How the parties damaged shall be recompenced.

The remedie for the partie grieved for his damages awarded.

A remedie if the old weare were raised.

Inundation by the Sea in Norfolk and Suffolke.

The authority of the Commissioners.

Now are, or shall, or may be damaged by the erecting of the said new Weares, or the reparation thereof, or by making of the Milleate, more than in former times they have bene by the said aunient Weare. Bee it enacted, That in default of agreement and composition betweene the said Maioz, &c. and the partie or parties pretending to be so damaged thereby, upon complaint of such partie or parties to the Justices of Assise for the Countie of Devon, for the time being, the said Justices, or such substantiall and indifferent persons as by them shall be assigned (calling the said parties befoze them, and hearing their exceptions to the persons to bee so nominated) may either in the said Countie and Citie of Excester, or in the Countie of Denon, by oath examine euerie such witnesse as either on the behalfe of such Landloz, owner, farmoz, or tenant, or on the behalfe of the said Maioz, &c. shall bee produced befoze them, for the pzoofe of any such losse or damage, or for the dispzoofe thereof: And thereupon from time to time shall or may order and award to the partie or parties grieved (if any such shall be) either by the yeare, or otherwise, such sufficient recompence, with necessarie and reasonable costs sustained in that behalfe, to bee payed to him or them in money by the said Maioz, &c. and their successozs, as in their discretions shall be thought fit. And for the summe of money so to be awarded to be payed, it may be lawfull for the partie grieved (upon refusal of payment) to distraine in any of the Lands and Tenements belonging to the said Maioz, &c. Or to sue the said Maioz, &c. and their successozs, for the same, by Action of Debt, in any of the Kings Courts: Wherein no Cōfine shall bee allowed. If the old Weare haue within five yeares last past bene raised higher than it was in aunient time, by meanes whereof the grounds of such Landlozs, Owners, Farmozs, or tenants, haue bene within those five yeares more ouerflowne than vsually befoze such raising, &c. Then the sayd Justices of Assise, or such as shall bee by them appointed, shall by examination of witnesse by oath, as is aforesaid, further inquire what losse did grow by such raising, vnto the said Owners or Tenants, &c. more than they sustained by the said old Weare befoze such raising thereof: And whether any like damage doe still continue by the sayd new erected Weare. And if it shall appeare, or be so proued to them, then they shall further allow such recompence for such losse and damage so continuing by reason of the said new Weare, and in such sort as is by this Act formerly expessed. R.

20 Because many thousand acres of ground in the counties of Norfolk and Suffolke, haue bene of late surrounded by the irruption of the Sea, and to the great pzeiudice of ninetie two Townes and Parishes, and more danger is feared by the ouerflowing of the same: Wherefoze the Lord Chancellor, or Lord Keeper &c. shall from time to time, upon suit made vnto him, award Commissions vnder the great Seale, to the Lord Bishop of Norwich, and to eleuen or more Justices of Peace of the Countie of Norfolk, and to five or more Justices of Peace of the Countie of Suffolke, as to him shall seeme good. The forme of the Commission. The Commissioners authoritie, viz. They may inquire by whose default the ouerflowings happened: They may take euerie person, and all lands that be chargeable: They may appoint inferiour officers to execute that which shall be needfull: They may take labourers and stiffe for the perfozmance of the worke: They may punish the disobedient: They may authorize others to leuie the money assessed: They may make orders for the preservation of the grounds in daunger, and also reforme the said Orders, and impose penalties vpon such as shall breake them: They

They may for some defaults sell or let the land of others: They may take ac-
compts of inferiour Officers. All Sheriffs, Bailiffs, and other Officers in
Pozfolke and Suffolke, shal attend and aid them, touching such things as shal
concerne their places. AB. Sewers 21. &c.

21 Causes of exception to copihold estates. The estates of diners of the R.
copihold tenants haue bin, and shal be confirmed by decree, vpon composition The Kings
Copiholders.
made with the Lord Treasurer and others. The Decrees made in the Arche-
quer and Duchie, concerning the R. copihold tenants, confirmed by Parlia-
ment. AB. Copihold & Copiholders 1. &c.

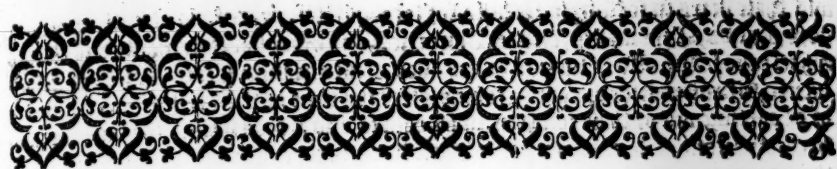
22 A confirmation of a Subsidie of six shillings in the pound granted to Subsidie.
the King by the Clergie of the Prouince of Canterburie, to be paid at four se-
uerall dates.

23 A graunt to the King by the Tempozaltie, of one Subsidie & one Fif- Subsidie and
Fifteenth.
teenth and Tenth.

24 A confirmation by Parliamtnt, of the kings generall and free pardon: Pardon.
Except &c.

FINIS.

V ij



An Abridgement of all the Statutes,
whereof the whole or anie part is generall, in
force, and vse, with certaine Quæres, Cautions, and Aduertise-
ments of such things that be doubtfull, together with the Authoritie and Dutie
of Iustices, Sherifes, Coroners, Escheators, Maiors, Bailifes, Customers, Stewards
of Leets and Liberties, and what things by severall Statutes in force they
must, may, ought, or are compellable to do.

Abilitie & non Abilitie.



ANNO 25. Ed. 6. It was agreed in Parliament, that the
Law of the Crowne of England is, and alway hath beene
such, that the childzen of the king of England, in whatso-
ever parts they be bozne, in England, or elsewhere, be able
and ought to haue the inheritance after the death of their
aunccestors: the which Law was confirmed by the saide
R. Ed. 3. the Lords and Commons there assembled, to re-
maine for ever. And in the right of other childzen bozne
out of the legeance of England, in the time of the saide King Edw. 3. it was there a-
greed, that Henrie sonne of Jo. of Beaumont, Eliz. the daughter of Guy of Bisan,
and John the sonne of Kalse Daubney, and others which the saide King Edw. 3.
would name (the which were bozne beyond the Sea, without the legeance of Eng-
land) should be from thenceforth enabled, to haue and enioy their inheritance after
the death of their aunccestors, in all parts within the legeance of England, as wel
as those which should be bozne within the same legeance.

2 And it was then further enacted, That all childzen inheritable which should
be bozne without the Kings legeance, which childzens father & mother, at the time
of their birth, shall be vnder the faith and legeance of the king of England, shall en-
ioy the same benefitts, to haue and take inheritance within the same legeance, as o-
ther the aforesaid inheritors, so that the mothers of such infants do passe over the
Sea, by the licence and good wills of their husbands. And if it be alledged against
any such bozne beyond the sea, that he is a bastard, in case where the Bishop ought
to take cognisance of Bastardie, the Bishop of the place where the land demanded
is, shall be commaunded to certifie the Kings Court where the plea dependeth, as
in auncient time it hath beene vsed, in case where Bastardie is alledged against
them which be bozne in England. 25. Edw. 3. Stat. 2. de natis ultra mare, 42.
Edw. 3. 10.

3 By the Statute made 31. H. 8. 6. all religious persons professed, as well men as
women, which were or after should bee set at libertie, by suppression, dissolution,
ec. of their Monasteries, Abbies, Priories, &c. (or which were translated from one
corporation to another, 31. H. 8. 29. and the Prior, Brethren, or Confraters, of the
Hospital of S. Johns of Hierusalem in England and Ireland, 32. H. 8. 24.) from
and after the time that they were set at libertie, were enabled to purchase to them
and

Kings childre
bozne beyond
sea, inherita-
ble in Eng-
land.

Childzen in-
heritable
where their
mothers pass
the sea, by li-
cence of their
husbands.

Trial of W.
Stardie pleades
against him
which is bozn
beyond the sea

Religious
persons ena-
bled to inherit,
purchase, sue,
and be sued.

Abridgement of Plaints. Actions Popular.

and their heirs in fee simple, fee taile, for terme of life, yeares, or at will, any houses, Lands, Tenements, Rents, Annuities, and other hereditaments and things whatsoever. And also to sue and to bee sued in all actions, plaints, and suits whatsoever, for any matter or cause growne, after the time of their feuerall deraignments or departing out of their religion, in all courts and places within the Realme, and to receiue, take, and enioy euerie lawfull thing to them growne or happened, after their departing out of their religion, in as ample maner as if they had neuer entred into religion. But by the said Stat. of 31. H. 8. and the Stat. of 5. Ed. 6. 13. it was provided, that none of the said religious persons should bee taken and iudged as heire or inheritable to any person, by reason of any former right, title, interest, or cause, had, made, descended, or growne, before their feuerall deraignement or departing out of religion.

1 The examination of the abilitie of a Parson presented to a Benefice, doth pertain to an Ecclesiasticall Iudge. S. Ecclesiasticall 3.

Abridgement of Plaints.

The plaintife in Aſſiſe may abridge his plaint.

The plaintife in euery Aſſiſe, may at his pleasure ſeuer and abridge his plaint, of any part or parts, whereunto any barre is pleaded, in ſuch like maner as he might do, in caſe that pleas in barre had bene made, and diuided to any certaintie or number of acres in the plaint. And the plaint for the reſidue of the part or parts of the lands not abridged, ſhalbe and ſtand good in law. 21. H. 8. 3.

Actions Popular. Informations

Actions popular ſued by colluſion.

If an Action Popular bee ſued againſt any man by colluſion, and the plaintife in the ſame do recover againſt the defendant, or be barred, any other perſon may afterwards ſue againſt the ſame def. another Action Popular with good faith, & ſhall in the ſame recover and haue execution, if the recoverie or barre in the firſt action be found to be by couin. And the def. being attainted of couin, ſhall haue two yerres imprisonment, by proceſs of Capias and Viſagarie, to be ſued within the yeare after iudgement giuen, or at any time after, untill the def. be had and impriſoned, & that as well at the Kings ſuit, as at euerie other perſons that will ſue in that behalfe. And no releaſe of any common perſon, made to any party before, or after an action popular or indictment hanging, ſhall be auailable to let or ſurceaſe the ſaid action, indictment, proceſs, or execution.

No couin aſſerred where there hath bin triall.

Within what time actions popular ſhalbe ſued.

Provided alwaies, that no plaintife or plaintifes bee in any wiſe receiued to aſſerue any couin in any Action popular, where the point of the ſame action, or elſe colluſion haue bene once tried, or vnlawfully found, with or againſt the plaintife by triall of twelue men, and not otherwiſe. 4. H. 7. 20.

2 All actions, ſuits, bills, indictments, or informations which ſhalbe had, brought, ſued, or exhibited, for any forſeiture vpon any Stat. penall, made, or to be made, whereby the forſeiture is or ſhall bee limited to the Queene, her heires or ſucceſſors onely, ſhall be had, brought, ſued, or exhibited, within two yerres next after the offence committed, or to be committed againſt ſuch Act penall, and not after 5. yerres. And all actions, ſuits, bills, or informations, which ſhalbe had, brought, ſued, or commenced, for any forſeiture vpon any penall ſtatute made or to be made, the benefit and ſuit whereof is and ſhalbe by the ſaid Stat. limited to the Queene her heires or ſucceſſors, & to any other which ſhall proſecute in that behalfe, ſhal be had, brought, ſued, or commenced by any perſon that may lawfully purſue for the ſame within one yeare next after the offence committed, or to be committed againſt the ſaid ſtatute, and in default of ſuch purſuit, then the ſame ſhall bee had, ſued, exhibited, or brought

brought for the *Q.* her heirs or successors, at any time within two yerres after that yere ended. And if any action, suit, bill, indictment, or information, for any offence against any penall stat. made or to be made, shall bee brought after the time in that behalfe befoze limited, then the same shall be void & of no effect, any act or stat. made to the contrarie notwithstanding. But where any action, information, indictment, or other suit, is or shall be limited by any stat. penal, to be had, sued, commenced, or brought within shorter time than is afoze rehearsed: in euerie such case the action, information, indictment, or other suit, shall bee brought within the time limited by such estatute. 31. El. 5. S. Husbandrie 26.

3 Euerie Informer vpon any penall Stat. shall exhibit his suit in proper person, and pursue the same only by himselfe, or his Attorney in Court. None shall be admitted or receiued to pursue against any person vpon any penal stat. but by way of information, or original action, & not otherwise, nor shall haue ne vse any deputie at all. And vpon euerie such information, which shall be exhibited, a speciall note shall be made of the berie day, moneth, and yere, of the exhibiting thereof into any office, or to any officer, which lawfully may receiue the same, without any manner of Antedate thereof to be made. And the same Information shall be accounted to be of Record, from that time forward, and not befoze. No Proces shall be sued out vpon any such Information, vntill the Information be exhibited in forme afozesaid. And vpon euerie such Proces shall bee indorsed as well the parties name that pursueth the same Proces, as also the Stat. vpon which the Information in that behalfe made, is grounded. And euerie Clerke making out Proces contrarie to the tenor and provision of this Act, shall forfeit for euerie such offence x. s. to the *Q.* and the partie against whom any such defectiue proces shall be awarded, to be recovered in any Court of Record, by Action, Information, &c. wherein no Wager, C. B. or J. &c. 18. El. 5.

Information exhibited in proper person. Information, original actio. No deputies. A note of the day, moneth, and yere.

Indorsment of the information.

4 No such Informer or plaintife shall compound or agree with any person that shall offend, or shall be surmised to offend against any penall Stat. for such offence committed, or pretended to be committed, but after answer made in court vnto the Information, or suit in that behalfe exhibited or prosecuted, nor after answer, but by the order or consent of the Court, in which the same information or suit shall bee depending, vpon pains and penalties hereafter declared. And if any such informer or plaintife shall willingly delay his suit, or shall discontinue, or bee nonsuit in the same, or shall haue the triall or matter passe against him therein, by verdict, or iudgement of law: Then the same Informer or plaintife shall pay vnto the defendant his costs, charges, and dammages, to bee assigned by the Court, in which the same shall bee attempted. For the recoverie and execution whereof, euerie such defendant shall immediatly vpon the same costs, dammages, &c. assigned, haue his *Capias ad satisfaciendum*, *Fieri facias*, or *Elegit*, to be awarded vnto him out of the same Court, in which the same shall be so assigned, as in other cases of Execution. 18. Eliz. 5.

No Informer shall compound with the defendant, but by consent of the Court.

Costs & dammages, if the Informer delay &c.

5 If any person or persons (except the Clerkes of the Court onely, for making out of Proces, otherwise than is aboue appointed) shall offend in suing out of proces, making of composition, or other misdemeanour, contrarie to the true meaning of this statute, or shall by colour or pretence of Proces, or without Proces, vpon colour or pretence of any matter of offence against any penall law, make any composition, or take any money, reward, or promise of reward, for himselfe, or to the vse of any other, without order or consent of some of the *Quenes* courts at *Westminster*, then he or they so offending, being thereof lawfully conuicted, shall stand on the pillorie in some market towne next adioining, where the same offence shall be committed in the open market time, and there remaine by the space of ii. houres: And shall after such conuiction for euere be disabled to pursue or be plaintife, or Informer

The punishment of the Informer offending.

Actions Popular.

former in any suit, or information upon any Statute popular or penall: And shall also for euerie such offence forfeit x.l. to the Qu. & the party grieved, to be recovered by A.J. &c. wherein no W. &c. P. or Information, &c. 18.El.5.

Statutes against maintenance, &c.

6 But it shall be lawful for every person grieved by means of any maintenance, champertie, buying of titles, or imbecerie, to pursue upon any Statutes provided against maintenance, &c. as he might have done before the making of this Act. 18.Eliz.5.

Penalties given to persons certain.

7 This Act shall not extend to any suit depending (before the 8. day of February 1575.) nor shall restrain any certain person, body politike or corporate, to whom or to whose use any forfeiture, penaltie, or suit, is, or shall be specially limited or granted by any Statute, and not generally to any person that will sue, but every such person &c. may in such case sue, inform, &c. as he might have done, if this Act were neuer made. 18.El.5. 27.El.10. S.I. of peace 57.

Informers restrained by order of court.

8 No person other than the partie grieved, shall be received to inform or sue upon any penall Stat. that before that time hath beene for any misdemeanour by any order of any of the Q. courts ordered not to follow or pursue any suit upon any penall Stat. 31.El.5.

The Countie expressed where the offence was done.

9 In any declaration or information to be had, brought, sued, or exhibited, the offence against any penall Stat. shall not be laid to be done in any other countie, but where the contract or other matter alledged to be the offence, was in truth done. And euerie defendant in such action or information, shall & lawfully may traueise and alledge, that the offence supposed by the same suit to be committed, was not committed in the countie where such offence is alledged: which being tried for the defendant, or if the plaintife be thereupon nonsuit in his Information or suit, then the plaintife shall be barred in that action or information, any law or use to the contrary notwithstanding. 31.El.5.

Certain offences whereupon information may be in any Countie.

10 This Act shall not extend to the laying or alledging of any offence in any declaration or information, for, or concerning any champertie, buying of titles or extortion, or to any offence committed or to be committed against the Stat. made 21.Eliz. intituled, An act limiting the times for laying on land merchandise from beyond the seas, & touching customes of sweet wines: And one other act made in the said 21.El. intituled, An act of a Subsidie of tonnage and pondage, or any thing in any of them contained, or for the concealing or defrauding the Qu. her heires or successors, of any custome, tonnage, pondage, subsidie, impost, or passage, or for any matter of corrupt vsurie, or for any offence comprised in any Stat. made, or to be made against ingrossing, regrating, or forestalling, where the penaltie or forfeiture shall appeare to be to the value of xx.l. or above. But euerie such offence shall or may be laid in any countie at the pleasure of any such Informer, Any thing in this Act &c. notwithstanding. 31.El.5.

Offences only punishable at the Sessions, Mile, or Leet.

11 All suits to be pursued upon any Stat. for using any unlawfull game, or for not using any lawful game, or for not having bowes and arrowes according to the law, or for using any art or myserie in the which the partie hath not beene brought by, according to the Stat. in that behalfe made, shall be sued and prosecuted in the generall Qu. Sessions of the peace, or Assise of the same Countie where the offence shall be committed, or otherwise enquired of, heard and determined in the Assises, or generall Q. Sessions of the peace of the same countie, where such offence shall be committed, or in the Leet within which it shall happen, & not in any wise out of the same countie, where such offence shall happen to be committed. 31.El.5.

Officers binding to exhibit Informations.

12 The foresaid Acts (of 18.Eliz.5. 27.Eliz.10. 31.Eliz.5.) shall not extend to any such officer of Record, and haue in respect of their offices heretofore lawfully used to exhibit Informations, or sue upon penall Lawes. But they and euerie of them may inform and pursue in that behalfe, as they might have done. Any thing in

in these Acts, &c. notwithstanding. 18. Eliz. 5. 27. Eliz. 10. 31. Eliz. 5.

1 The defendant shall bee admitted to have a *Tales de circumstantibus* in actions popular. S. Jurors 26.

2 The Iurie in suits vpon penall lawes, shall not be compelled to appeare at Westminster. S. Jurors 31.

3 Certaine Iustices haue authoritie to heare and determine offences committed by Informers. S. Iust. of peace.

Accomptants and Debtors to the King.

All Obligations and specialties, which shall be made for any cause in any wise concerning the King, or his heires, or to his or their vse, commoditie, or behoefe, shall be made to him and to his heires, &c. or Quenes, in his or their name by these wordes, *Domin' Regi*, and to none other person to his vse, and to be paid to him by these wordes, *Soluend' eidem Domin' Regi, heredibus vel executoribus suis*, with other wordes used in common Obligations. And if any person make or take any obligation to the &c. vse in any other manner, he shall suffer such imprisonment as shall be adiudged by the &c. Councell. And all such Obligations and specialties to be made shall be effectual in the Law, to all purposes, and shall be in the same nature and effect, to all intents, as the writings obligatory taken and knowledged, according to the Stat. of the Staple at West. haue at any time beene taken and executed against any lay person. 33. H. 8. 39.

The forme & effect of Obligations made to the King

In obligation made to the &c. is in the nature of a Stat. Staple

2 All such Obligations and especialties, the debt whereof being not paid nor contented in the life of the &c. or &c. shall remaine and be to the heires of the &c. or &c. at the free libertie and appointment of the same &c. or &c. to whom the same shall be made. 33. H. 8. 39.

who shall haue the &c. debts.

3 The &c. in all suits to be taken vpon any specialtie made to his Grace, or to any to his vse, shall recover his iust costs and damages as other common persons vse to doe in suits for their debts. 33. H. 8. 39.

The &c. shall recover costs and damages

4 In all actions and suits to be taken or pursued in any of the Courts of the Exchequer, Duchie of Lancaster, or Wards and Lineries, for the recoverie of any debt which shall appertaine, accrue, or be to the &c. by reason of any Attainder, Outlawrie, forfeiture, gift of the partie, or by any other collaterall meanes, It is sufficient to alledge in the said suit generally, that the partie to whom the said debt was due or did belong, such yere and day did giue the same debt to the &c. or was attained, outlawed, or other offence, forfeiture, or thing committed, by reason whereof the said debt did accrue, and ought to remaine and come to the &c. and the same matter so alledged in generalitie, without shewing the circumstance thereof, shall be of as good effect in the Law to all intents, as if the whole matter were alledged in euery point. 33. H. 8. 39.

Debts due to the &c. by attainder, forfeiture, gift, &c.

5 If any suit be commenced, or any Proces be awarded for the &c. for the recoverie of any his debts, the same shall be preferred before the suit of any other person, and the &c. his heires & successors, shall haue first execution against any defendant for his said debts before any other person, so alwaies that his suit be commenced or Proces awarded for the said debt at the suit of the &c. before Iudgement giuen for the said other person. 33. H. 8. 39. And if the &c. debtor doe die, the King shall be first paid his whole debt. Mag. Chart. 9. H. 3. 18.

The Kings suits shall be preferred.

6 All Manors, lands, &c. and hereditaments, the which shall come or be in or to the hands or seisin of any person to whom the same shall descend, reuert, or remaine in fee simple, or fee taile, generall, or speciall, by, from, or after the death of any of his aunccestors, as heire, or by the gift of any his aunccestors, whose heire hee is, which said aunccestor shall be indebted to the &c. or to any other person to his vse, by Judge.

Lands entail'd, chargeable to the payment of the &c. debts

Accomptants and Debtors to the King.

Specialties made to the K. without this word (Heire.)

The K. may recover his debt against the executor.

Lands recovered by former title.

Upon sufficient matter proved, the Court may discharge the supposed debtor.

When the K. debtors' lands come into several hands.

Officers bound with surety for their true account and payment.

Executors' precepts to the Accomptants.

The halfpence rent due at Easter.

Judgement, Recognisance, Obligation, or other specialtie, the debt wherof shall not be contented and payed, then in everie such case the same manors, lands, &c. shall be and stand charged, to and for the payment of the same debt, & of every part thereof. And our said Soueraigne Lord, his heires and successors, shall not be barred or delayed, to demand, have, and receive his lawfull debts and duties, against any his subjects, as heire or heires to any person indebted to his Highnesse, or to other persons to his use, albeit this word (Heire) be not comprised in such Recognisance, Obligation, or specialtie: or that any such person shall alledge, that he hath not any manors, lands, or hereditaments, to him descended, but onely such as bee entailed or given to him by any his auncelors to whom hee is heire. But the K. his heires and successors, may at his &c. libertie, and pleasure, demand, and recover his sayd debt, against any executor or executors, administrator or administrators, of any such person indebted, if he or they shall have assets in his or their hands in deed, or in Law. 33. H. 8. 39.

7 But if the said manors, lands, & hereditaments, or any of them, shall be recovered from the possession of any such person, by any iust or former title, without fraud or covin, which he chargeable as is aforesaid, then they shall be clearly discharged of the payment of the said debts, and of every part thereof. 33. H. 8. 39.

8 If any person of whom any such debt or duty shall be demanded, do shew in any of the said Courts, sufficient matter in law, reason, or good conscience, in discharge of the said debt, or why such persons ought not to be charged with the same, and the same matter so shewed be sufficiently proved in such one of the said Courts as he shall be impleaded or troubled for the same, then the said courts have full power to allow the same proofe, and clearly to discharge every person that shall be so impleaded. 33. H. 8. 39.

9 If any lands, &c. which shall be charged, to, or with the debt of our said Soueraigne Lord, his heires or successors, shall be in the seisin of divers persons, other then the Obligor or Obligors, then all the said lands, &c. and every parcel of them, shall bee wholly, and in no wise severally chargeable with the payment of the said debt and dutie. 33. H. 8. 39.

10 Everie person named or appointed to be Treasurer, or generall, or particular Receiver, Collector, or Bailife, or Minister accomptant to the King, shall before his entrie, executing, using, or exercising of his Office, whereunto hee shall bee so nominated or appointed, together with surety or sureties, acknowledge & make sufficient and lawfull bond or bonds to the King in such Court of Record, where the same Officer shall be accomptable and chargeable, that he, his heires executors, administrators, assignes, or deputies, shall truly accompt, and pay all such summes of money as shall come to his hands, or shall, may, or reasonably might bee charged with, concerning his Office, to the Kings use, within the circuit of his receipt and collection, at such or like daies and times, and in such manner as is hereafter expressed to be contained in the conditions of everie of the said bonds, upon paine of forfeiture of his Office, and of his letters patents of the same office. 7. E. 6. 1. S. 15. 16. 17. 18.

11 Everie Receiver of the Kings Lands, Rents, and Revenues, or his deputie, shall yearly make his severall Precepts to all and singular Collectors, Ministers, and Bailifes accomptant within the circuit of his Office, commanding them on the Kings behalfe by the same Precept, to appeare before him personally, or by their sufficient deputie or deputies, for whom they will answer, within the countie where the same Offices, Bailiwikes, &c. or collections doe lie, at a certaine day and place in the same Precept to be limited, and to pay to the Kings use such summes of money as they ought to doe, by reason of any their said Offices, being due to the King, at or before the Feast of Easter, which they have or may by any law

lawfull meanes receive, within o2 by reason of their said offices, and the same Precepts shalbe generally deliuered to euery of the said officers accomptant, o2 to their deputies, o2 else bee left at their dwelling houses, o2 at the Manor o2 place where their receipt is, o2 ought to be, twelue dayes at the least befoze the day of apparance to them given in the same Precept. And if any of the said Ministers, Collectors, o2 Bailifes accomptants, after any such precepts made by any such Receiver, and deliuered o2 left in forme aforesaid, do make default at the same day o2 place assigned by the same Precept, and being thereof lawfully conuicted in the court where the revenue shall be answered, he shall for the first offence forfeit to the king his whole fee for that yeare, wherein hee shall so make default, o2 the value thereof, and for nonpayment of the said money due and payable at o2 befoze the said Feast of Easter unto the King, within o2 by reason of his abovesaid office, collection, o2 bailiwike, shall forfeit for the first offence of nonpayment by .s. of the pound, in the name of a paine, for euery moneth after the said day of apparance, untill the same money shall be by him o2 his deputie payed to the hands of the said Receiver, to the Kings vse. And after the first default of apparance made by any of the said Officers, and another like Precept by the said Receiver be made and deliuered, o2 left in forme aforesaid, then the said Officer making againe default, and being therof lawfully conuicted, as aforesaid, for the second default of non-apparance, shall forfeit to the King his Office and fee. And for the said second offence in the nonpayment of the said money due and payable by reason of his Office, at o2 befoze the said feast of Easter, shall forfeit xij. pence of euery pound, in the name of a paine, for euery moneth after the said last day of apparance and default made, as is aforesaid, untill the same money shall be by him o2 his deputie payed to the hands of the said Receiver, to the vse of the king. 7. Ed. 6. 1.

The forfeiture where the accomptant maketh default.

Second default.

12 Cuerie Auditor of the Kings, of his Lands, Possessions, Rents, and Revenues, for the time being, o2 his sufficient Deputie, shall haue full power yearely to make his Precepts to all Ministers, Collectors, and Bailifes accomptants, commanding them in the behalfe of our said Soueraigne Lord, to appeare and accompt befoze him personally, o2 else by his sufficient Deputie o2 Deputies, at a place certaine within the countie where the same lands and possessions doe lye, at the Kings Audite to be holden there yearely, betweene the feast of Saint Michael the Archangell, and the Patiuitie of our Lord God, of, and for all Rents, Revenues, and Profits, due and payable within, o2 by reason of their said Offices, &c. at o2 befoze the Feast of Saint Michael the Archangell next befoze the same Audite, expressing in the same Precepts, the time and place when and where the same Ministers, Collectors, and Bailifs accomptable, o2 their sufficient Deputies, for whom they will answer, shall appeare, the same Precepts to be deliuered to the same Ministers, &c. accomptable, o2 their Deputies, o2 left at their dwelling houses, o2 at the Manor o2 place where their collections are o2 ought to be, twelue dayes at the least befoze the day of apparance to them prefixed in the same Precepts. And if any Minister, &c. accomptant, doe not appeare befoze the said Auditor o2 his Deputie at the said Audite according to the said Precept, o2 else if he do appeare, and refuse to accompt for his said receipt &c. befoze the said Auditor, &c. and being thereof lawfully conuicted in the court where the revenue shall be answerable, he shall for his first offence forfeit to the king his whole fee for that yeare wherein he shall so make default, o2 the value thereof. And for the nonpayment of the said money due and payable within his collection, &c. at o2 befoze the said Feast of Saint Michael the Archangell, shall forfeit to the king for his first offence six pence of euery pound, in the name of a paine, for euery moneth after the said day of apparance and default made, as is aforesaid, untill he o2 his sufficient Deputie shall accompt befoze the said Auditor o2 his Deputie, for his said col.

Auditors precepts to the accomptants.

The halfe pence rent due at Michaclm.

Twelue dayes warning.

If the Accomptant make default.

Accomptants and Debtors to the King.

collection, &c. And also pay vnto the hands of the said Receiver, euerie such summe of money, as shall be iustly found due by the said Accomptant before the said Auditor, &c. to the Kings Maestie, vpon the foot and determination of his accompt. And after the first default of appearance made before the said Auditor, &c. by anie of the said Officers accomptant, being so warned as is aforesaid, and after another like Wrecept made and deliuered, or left in forme aforesaid, then the sayd Officer that so shall make againe default of apparance, for the said second offence, in making default of his apparance, as is aforesaid, and being thereof duely conuicted in the court where the reuennue of his said Office shall bee answerable, shall forfeit to the King his Office and fee. And for the second offence in the nonpayment of the said money due and payable by reason of his receipt &c. at or before the said feast of Saint Michael, shall forfeit to the King xij. pence of euery pound, in the name of a pain, for euerie moneth after the said last day of apparance and default made, as is aforesaid, vntill he or his sufficient deputie, shall accompt before the said Auditor or his deputie, for the said receipt, collection, or balitwike, & also pay vnto the hands of the said Receiver or his deputie, to the kings vse, all such summes of money, as shall be iustly found due by the said Accomptant, vpon the foot and determination of his said Accompt. 7. Ed. 6. 1.

Second default.

Officers accomptants concealing duties.

13 *See the foresaid Statute of 33. H. 8. 39.* if any Bailife, Kene, or other Officer accomptant of the king, vpon the declaratiō of his accompt, doth willingly conceale and withold any rent, reuennue, fine, hariat, or other casualtie whatsoever it be, of the which he ought to haue made accompt, & that duely proued before the head Officer of the court, where &c. he shall lose his office and fee, and thye times so much as he hath concealed.

The K. Bailifs may distraine for arerages.

14 *Euerie Receiver, Collecto, and Baylife of any of the kings lands, rents, or reuennues, for lack of payment and leuying of their said rents, issues, and reuennues, within their offices, haue power to distraine for the same, and to order the same distresses in such sort, as any officer of the Erchequer, for leuying of the kings reuennues, answerable in the same court, heretofore haue done, & may lawfully doe, deliuering to the partie distrained the surplussage of the value of euerie such distresse (if any shall be) the K. duties being first paid, and the distrainant answered of reasonable costs.* 7. Ed. 6. 1.

Within what time Receiuer shall make paymēt.

15 *Euery receiuer of the Kings lands, rents, reuennues, &c. shall make readie and full payment yearly to the Treasurer, or generall Receiuer of the court where the said reuennues shall be answerable, or other wise as he shall be appointed by sufficient warrant, of all such summes of money as he shall know to be due to the king, and can by any lawfull meane get or receiue of the rents or reuennues of our said Soueraigne Lord, within or by reason of his Office, being due at or before the feast of Easter, by the twentieth of June then next following at the farthest. And also shall make like payment yearly of all his like receipts of the rents, &c. that shall be due at or before the feast of S. Michael the Archangel by the xx. day of Januarie then next following at the farthest, vpon paine of forfeiture for euery default at any of the said dayes, two pence of euery pound for euery day that the sayd money so by him shall be vnpaid.* 7. Ed. 6. 1.

When the Receiuer shall accompt.

16 *Euery of the said Receiuers, or their deputies for whom they will answer, shall enter into their account yearly in the Terme of Saint Hillarie, & fully finish the same before the tenth day of March then next following, and make full & readie payment of the money that shall appeare to be due vpon the foot of the same accōpt, before the xx. day of the said moneth of March, vpon paine of forfeiture to the King, their offices and fees, and iiii. s. of the pound for euerie day that they shall withhold the said money.* 7. Ed. 6. 1.

17 *All Treasurers, Chamberlaines, and generall Receiuers of any of the K. courts*

Courts of revenue for the time being, and all Customers, and Collectors of Customs, or certaine and staled Subsidies within any port, haven, or creek of the Realme of England, which now be, or hereafter shall be, within tenne dayes next after notice to him or them given from the King, or by his privie counsell in writing signed with their hands, shall by themselves, or their sufficient Deputies, for whom they will answer, declare in writing, what summes of money then being due unto our said Soueraigne Lord, be at that time in his or their hands, and shall make readie and full payment of all the said summes, as then shall remaine in his or their hands (ouer and above the ordinarie payments and summes of money contained in sufficient warrants remaining in their Offices, and being in their full force, and not lawfully countermanded, nor revoked to their knowledge) to the use of the King, at such time, and in such sort, as they shall be commanded by sufficient warrant, upon pain of forfeiture of his or their office or offices. 7. Ed. 6. 1.

These Accountants shall declare what money they have, and make readie payment.

18 The same Treasurers, Chamberlaines, and generall Receivers, by themselves, or their Deputies, for whom they will answer, shall persly before the xx. day of June make a perfect account of all such money as treasure, as hath come to their hands to the Kings use, yearly at or before the xx. day of March, then next before the said xx. day of June, and shall make a perfect declaration in writing of the money remaining in everie of their hands, to the King, or to his privie counsell, yearly before the last day of June then next following, and make payment of the same, at such time, & in such sort, as they shall be commanded by sufficient warrant, upon pain of forfeiture of their offices. 7. Ed. 6. 1.

These Treasurers shall make their accounts persly

19 If any Auditor, or his Deputie, which ought to take the account of any Treasurer, Chamberlaine, Receiver, or other Officer accountable before him, doe refuse, or willingly delay the taking of the same account, in such wise, as it cannot be finished within the time appointed by this Act, Then he being thereof duly convicted in the court where the revenue or charge of the same account shall be answerable to the King, shall lose such like forfeitures as the Treasurer, Chamberlaine, Receiver, or other Officer abovesaid ought to doe by this Act, for not accounting, of, and for their charges and office or offices: And thereby the same Treasurer, Chamberlaine, Receiver, and other Officer that should account, shall be refused, or delayed, shall be discharged of any pain, loss, or forfeiture for not accounting. 7. Ed. 6. 1.

If the Auditor refuse or delay to take the account.

20 The duplicat or copie of everie account that shall be made by any Treasurer, or Receiver, or by their deputie, in forme abovesaid, within convenient time after the finishing of the same, & at the reasonable request & costs of such Accountant shall be delivered unto them subscribed with the hand of the Auditor that shall take the same account, or of his deputie &c. upon payne, that the same Auditor shall forfeit to the King for everie such default &c. 7. Ed. 6. 1.

The copie of the account delivered to the accountant.

21 But this Act shall not charge any Archbishops, or Bishops, to make any bonds, or to make their Account and Payment of the Tenths arising within any of their Diocesse due to the King, in any other manner than they have bin charged, or Accountable and Chargable by the Lawes and Statutes of this Realme. 7. Ed. 6. 1.

Bishops for Tenths.

22 Neither shall this Act extend to touch or charge any Subsidie, Escheator, or Collector of any Wines, Mardisines, Benevolences, Contributions, or Subsidies (Subsidies of Tonnage and Bondage onely except) but that everie of them may exercise their said severall Offices, and pay such summes of money, as any of them shall bee charged withall by their severall Offices, in like sort as everie of them have usually done, or ought to doe, if this Act had never bene made. 7. Ed. 6. 1.

These Subsidies.

Accomptants and Debtors to the King.

**Collectors of
Fifteenes,
Subsidies,
& other taxes.**

23 Everie high Collectoꝝ of any Fiftaine, Subsidie, oꝝ other taxe oꝝ loane, shal within thre moneths next after such times as the same shal bee due, and payable to the King, his heires oꝝ successoꝝs, by any Statute, Ordinance, oꝝ other meane, and by the same Collectoꝝ received, truly paie the same to the Kings use, at such place, and to such person as shal be named foꝝ the same, upon paines to forfeit to the King, his heires and successoꝝs, foꝝ everie pound so being received, and after that retained, kept, oꝝ laied out foꝝ gaine, and not payed within thre moneths to the Kings use, as is aforesaid, iij. s. foꝝ everie moneth that the same mony shal be retained, kept, oꝝ layed out foꝝ gaine, and also shal lose his office concerning the same, and all profits thereunto belonging. And the King shal at his pleasure charge the said Collectoꝝ, upon his accompt, with the penaltie and forfeitures aboves rehearsed, oꝝ else recover the same by Action, Bill, Plaint, oꝝ suit of debt against the same Collectoꝝ, his heires, executoꝝs, oꝝ administratoꝝs, wherein no W. C. oꝝ P. C.

34. H. 8. 2.

**The Collec-
toꝝs payment
being tendered,
sufficeth.**

24 If any of the said Collectoꝝs tender payment of all such mony by him received to the K. use within the said thre moneths, in such place, & unto such person as shal be charged with the receipt of the same, & do as much as in him shal be foꝝ to make true payment thereof, & cannot be thereunto admitted by reason of importunate businesse, oꝝ other lawfull impediment in him that should receive the same, then the same Collectoꝝ &c. shal not be charged with, oꝝ incur any daunger oꝝ penaltie contained in this act. 34. H. 8. 2.

**How farre the
Collectoꝝs
heire shalbe
charged.**

25 The heire of any Collectoꝝ aforesaid (oꝝ of any Receiver of the Exchequer, Duchie of Lancaster, oꝝ Court of Wards and Liveries) shal not bee charged by reason of this Act, but onely foꝝ, and in such lands &c. oꝝ hereditaments, which hee shal have by descent in fee simple, oꝝ fee taile, oꝝ by gift, oꝝ else by any other assurance made to any such heire onely by couin from the said Collectoꝝ, oꝝ Receiver, oꝝ any of their Assignes. And in everie such case, the King, his heires, and successoꝝs shal have execution onely, of, and in such lands &c. oꝝ hereditaments descended, given, oꝝ otherwise assured, as is aforesaid, untill such time as his Matestie &c. bee fully satisfied of every such summe of mony due by any such Collectoꝝ oꝝ Receiver.

34. H. 8. 3.

**Collectoꝝs ex-
ecutoꝝs, oꝝ ad-
ministratoꝝs
charged.**

26 The executoꝝs oꝝ administratoꝝs of every such Collectoꝝ shal not bee otherwise charged by this Act, but as executoꝝs and administratoꝝs should be chargeable by the order of the common law, in actions of debt bled against them as executoꝝs oꝝ administratoꝝs. 34. H. 8. 2.

**The heire be-
ing charged,
shal have re-
medie against
the executoꝝs
&c.**

27 Where the heire of any of the K. Collectoꝝs, Receivers, oꝝ Debtors shal be charged foꝝ his fathers oꝝ ancestoꝝs debts, oꝝ duties, whose heire he is, whereby the land descended oꝝ given to him by couin to defraud the K. execution thereof, is put in execution, then such heire shal & may have his action of debt against the executoꝝs oꝝ administratoꝝs of his said father oꝝ ancestoꝝ, & shal have execution of the goods and cattels of the said father oꝝ ancestoꝝ, being in the hands of the said executoꝝs oꝝ administratoꝝs at the time of the said Action brought: In which action no W. C. oꝝ P. C. 34. H. 8. 2.

**Collectoꝝs of
the custome of
the subsidie of
tonnage and
poudage.**

28 This Act of 34. H. 8. 2. doth not extend to the Collectoꝝs of the K. Custome, noꝝ of the Subsidie of Tonnage and Poudage, which be accomptable yerely in the K. Exchequer. And this Act was provided for Receivers also: But the foresaid stat. of 7. Ed. 6. appointeth another order of accompt and payment to them, and also other penalties.

**These ac-
comp. lands
payable to the
payment of
their debts.**

29 All lands, tenements, profits, commodities, and hereditaments, which any Treasurer, oꝝ Receiver, in, oꝝ belonging to any of the Queens Courts of the Exchequer, Wards and Liveries, Duchie of Lancaster, Treasurer of the Chamber, Cofferer of the Household to the Queens, her heires and successoꝝs, Treasurer foꝝ

the warres, Treasurer of any Fort, Towne, or Castle, where any garrison is or shall be kept, Treasurer of the Admiraltie or Hauie, Treasurer, Under Treasurer, or other person accomptable to the Queene, her heires, or successors, for any Office or charge, of, or within the Port, Treasurer or Receiver of any summes of money in port, or otherwise, for the use of the Queene, her heires, or successors, or for provisions of victuall, or for fortifications, buildings, or works, or for any other provisions, to be used in any the offices of the Queenes Ordnance and Artillerie, Armourie, Wardrobe, Tents, and Pavillions, or Kitchens, Collector, Farmer, or of Customs, Subsidies, Imposts, or other duties within any Port of the Realme, Collector of the Tenths of the Clergie, Collector of any Subsidie or Fifteene, Receiver generall of the Revenues of any countie or counties answerable within the receipt of the Exchequer, or in the Court of Wards and Liveries, or the Duchie of Lancaster, Clerke of the Chamber, now hath, or at any time hereafter shall have, within the time whilst he or they, or any of them shall remaine accomptable, shall for the payment and satisfaction unto the Queene, her heires, and successors, of his or their arrearages (at any time to be lawfully according to the Lawes of this Realme adjudged, and determined upon his or their accompt, all his due and reasonable petitions being allowed) be liable to the payment thereof, and be put in execution for the payment of such arrearages, or debts, to be so adjudged and determined upon any such Treasurer, Receiver, Teller, Collector, Farmer, Officer, or Accomptant, as is aforesaid named, in like and in as large manner, to all intents, as if the same Treasurer, Receiver, or Collector, &c. upon whom any such arrearages or debts shall be so adjudged, had the day hee became first Officer or Accomptant, stood bound by writing Obligatozie, having the effect of a Statute of the Staple, to her Heiress, her heires, or successors, for the true answering and payment of the same arrearages or debts. 13. Eliz. 4.

30 If any Treasurer, Receiver, Collector, &c. or other person accomptant be soe mentioned, which shall receive or be chargeable with any money or treasure of the Queene, her heires, or successors, and shall upon the determining of his accompt (all his due petitions to him upon the same accompt being allowed) or by reason of any Farme, as aforesaid, be found in arrearages, or to owe unto our Sovereigne Ladie, her heires, or successors, any summe of money, and shall not within the space of six moneths next after his accompts finished, or debt knowne (having allowance of his due petitions) truly pay all such arrearages as he shall owe upon determination of his accompt, or upon his debt knowne, then it shall be lawfull to the Queene, her heires and successors, at any time after the said six moneths ended, to make sale by her or their Letters Patents, under the great Seale of England, of so much of the Lands, Tenements, or Hereditaments of any such Accomptant and Debtor, as may suffice our said Sovereigne Ladie for the satisfaction of his debt or arrearages, untill her Heiress &c. be by such sale fully satisfied of such arrearages and debt to be found upon accompt or farme &c. And if any overplus of money shall be reserved, or had, upon any such sale, then the same shall be delivered to the Accomptant or Farmer, or his heires, by the Officer that shall receive the money, upon any of the said sales, without any other warrant in that behalfs to be obtained. And all the sales to be made by the Queene, her heires, or successors &c. shall be good and available in law against the partie accomptant indebted, and his heires claiming as heires, and against the Queene, her heires and successors, notwithstanding any former charge or incumbrance to her Heiress &c. by the person for whose debt the same shall be sold. 13. Eliz. 4.

where the
Queene may
sell the accomp-
tants lands.

The Over-
plus.

The sale good
against the
Queene and
accomptant.

Accomptants and Debtors to the King.

Accomptants
purchase lands
in others
names.

31 If any person Accomptant or indebted, as is aforesaid, shall at any time after he shall become accomptant or chargeable, as is aforesaid, purchase and buy, or cause to be purchased and bought, any lands, tenements, or hereditaments, and cause the assurance thereof to be made in the name of any other person or persons, where the same is indeed meant to the use, profit, or behoofe of such person accomptant or indebted, or of any other person, and the same manner of purchasing, and secret uses &c. shall be found by office or inquisition, then all and euerie lands, tenements, &c. so to be bought or purchased, or caused to be purchased, shall be taken and sold for the satisfaction of the arrerages and debt of euerie such accomptant or debtor, to all intents, as though the person indebted upon his or their accompt or farme, were thereof actually seised of such estate as was conveyed to any person by any such Accomptant or Debtor, or by his meanes, as is aforesaid. And all sales to be thereof made by the Queene, her heires, or successors, for the satisfaction of such debt or arrerages, as shall be found to be due and owing to her, shall be of the like effect, and be used in such like manner, as is before (30) expressed. 13. Eliz. 4.

Lands purchased since
the beginning
of the queenes
reigne.

32 All lands, tenements, and hereditaments, which any accomptant before named hath heretofore (since the beginning of the Queenes reigne) purchased, or caused to be purchased, to this intent the same shall not be lyable as is aforesaid (the couin being first found by office &c.) shall & may be seised by her Maestie, her heires or successors, and retained by her &c. in fee simple, to be sold, or otherwise used at her and their pleasures, towards the satisfaction of all arrerages already set or determined, or that hereafter shall be determined upon his accompt (all reasonable & due petitions being allowed) at such rate and value as the same were purchased, or caused to be purchased, by any Treasurer, Receiuer, Teller, &c. or by any person, to their use. Provided alwaies, That if the lands so to be seised or sold by her Maestie, her heires or successors, as is last above mentioned, doe surmount after the rate and value aforesaid, the debt and arrerages to be determined upon the accompt of any Treasurer, Receiuer, or Accomptant before named, then her Maestie &c. shall sell only so much as shall amount after the rate and value aforesaid, to the full payment of such debts & arrerages, as hath been or shall be determined or adjudged upon his accompt, as is aforesaid. 13. Eliz. 4.

No Bishops
lands charge-
able.

33 No Bishop having the collection of any Subsidie or Tenth, or any his lands &c. whereof he is seised in the right of his Bishopricke, shall be charged by vertue of this act for any arrerages of Tenth or Subsidie, otherwise than he might lawfully haue bin before the making of this act. 13. El. 4.

Accomptants
not exceeding
CCC.l.

34 This act shall not extend to charge any Treasurer, Receiuer, or Accomptant aforesaid, having any yerely receipt, nor any their lands &c. whose yerely receipt, collection, and charge, or whose whole receipt from the beginning of his charge, is not, or hath not bin, or hereafter shall not be above the summe CCC.l. in any other manner, than he might lawfully haue bin charged before the making of this act. 13. Eliz. 4.

Accomptants
which are not
to make present
payment.

35 But because the Treasurer of the Chamber, and Cofferer of the household of the Queene, her heires and successors, Treasurers of wars, or Garrisons, Treasurers of the Navy, Treasurers, or Receiuers of any summes of money for provision of victuall, or for fortifications, or for building, and Master of the Wardrobe, are by order of their offices & charges after their accompts ended, to disburse the debt remaining upon their accompts, in such charges as are necessarily to be provided in their offices & charges, so as they are not of such summes of money to make present payment as other accomptants are: Therefore this Act shall not extend to give any authoritie to make sale of any lands &c. for any such debt to be iudged in any of their

their accomptants last mentioned, unless the D. her heirs, and successors, upon the determining of their accompts (all their due petitions to them pt. being allowed) command present payment thereof, or otherwise satisfaction requires: not so accompt of the same debt to remaining in any the accept mentioned in this by act, and that then the same debt, or any part thereof, shall be found to be owing & due, and in the charges pertaining to any of their said offices, and the said debt remaining unpaid by the space of vi. months, after such request or commandement.

13. Eliz. 4. This act shall not extend to charge any Sheriffs, Escheators, or Bailiffs of liberties, or the lands, tenements, or hereditaments of any of them, nor of any their heirs or assigns, for any thing touching their office of Sheriff, Escheator, or Bailiff, nor for any money by them received by reason of any their said offices, in any other manner than they might lawfully have bin charged, before the making of this act. 13. Eliz. 4.

37. This Act, as touching only the sale of any lands or Tenements, shall not extend to any lands &c. which any persons now (viz. 2. Apr. 13. Eliz. Anno Domini 1571.) have or enjoy, and have purchased or obtained bona fide, and not being parties or consenting to any such intent, to defraud the Queene, as is above said.

38. It shall be lawful to every person, whose lands &c. shall by any office or inquisition be found to be fraudulently conveyed as is above said, to have his lawful traverse to every such office &c. And if it be found with the parties & tendereth the traverse, then he shall have the said lands out of the Princes hands, without any Petition, Livery, or Ouster le maine, or any other suit to be made or used: And the same being found for such person so traversing, the same lands &c. shall be adjudged as not liable, chargeable, nor to be sold by force of this statute. 13. Eliz. 4.

39. If the Queene or shall by any sale of lands by force of this statute, be fully satisfied of the debt or arrearages of any such accomptant or debtor, or any part thereof, then his sureties shall be discharged of so much of the said debt, so far as they are bound, as so shall be satisfied, & for the residue only shall be ratable (according to their abilities) charged. 13. Eliz. 4.

40. The Statute of 13. Eliz. 4. to make the lands, tenements, goods, and cattels of Tellers, Receivers, &c. to be liable to the payment of their debts, shall to all intents as largely extend to all such under Collectors of Tenths and Subsidies of the Clergie, & to their lands, tenements, hereditaments, goods & cattels, so satisfying of such money as they have collected, or shall collect of the said tenths & subsidies, to the use of the D. her heirs or successors (of what yearly summe soever & charge of their collection is or shall be) in like forme as it doth extend to the Tellers, Receivers, and other persons accomptant, whom the said act expressly concerneth, & in as ample wise, as if such under collectors were immediately accomptant to the D. her heirs or successors: any provision in the said Stat. or other matter whatsoever, to the contrary notwithstanding. 14. Eliz. 7.

41. And every such under Collector shall upon Process to be awarded out of the Court of Exchequer, be chargeable to accompt for his receipt of such Tenths and Subsidies, as any Receiver immediately accomptant to the D. is, or ought to be: And every Archbishop, and Bishop, and Deane and Chapter (Sede vacante) to whose charge the collection of such Tenths or Subsidies doth or shall appertain, shall be discharged of so much of the said Tenths and Subsidies, as shall be satisfied to the Queene, her heirs or successors, or, or by the lands, tenements, hereditaments, goods, or cattels of such under Collector, or his heirs, without any other Warrant whatsoever, in that behalf to be obtained. 14. Eliz. 7.

Sheriff, Escheator, Bailiff of liberties,

Lands purchased bona fide.

The parties grieved may have his Traverse.

If the Debtor satisfy the debt, the sureties be discharged.

Under Collectors of Tenths & subsidies.

Under Collectors that accompt in the Exchequer.

Accomptants and Debtors to the King.

Sale of the
accomptants
lands after
his death.

Accompt
made within
8. yerres after
the Accompt-
ants death.

Proces as
gainst the ac-
compt. here.

The sale good
to him which
is not consen-
ting to the
land.

To which ac-
comptants
this statute
shall extend.

Debt grow-
ing in the
Duchie, or
court of
wards.

A priuie seale.

42 The said Act made An 13. Eliz. 4. in euerie part thereof, touching the power given by that Act vnto the Qu. her heires & successours, to make sale of any the lands, tenements, or hereditaments by the said Act limited to bee sold, is, shall, and ought to be expounded and intended, as well in case where the sale is to be made after the death of such Accomptant or Debtor, as where it is to be made in his or their life time: And also as well in case where the accompt is made, or the debt known with in 8. yerres after the death of such accomptant or debtor, as where the same accompt is made or debt knowne in the life time of the said accomptant or debtor: any question etc. notwithstanding. 27. El. 3.

43 After the death of such Accomptant and Debtor, as is mentioned in the said recited Act, and before such time as any the lands &c. descended vnto the heire of such accomptant or debtor, as heire vnto the said accomptant or debtor, shall bee sold as is aforesaid, a Scire facias shall bee awarded out of the Exchequer vnto the Sherife of the Countie where any such lands doe lie to garnish the same heire, to shew cause why the same lands, &c. so to him descended, as aforesaid, should not bee put to sale, for satisfaction of the said debts or farmes in the same act mentioned, according to the tenor of the said act: Whereupon if the heire do not within a convenient time, vpon a garnishment, or two Nihil: returned, shew and proue vnto the said Court, that the executors or administrators of such Accomptant or Debtor haue sufficient, which ought to answer, or be liable for the same debt or farme, and wherby the said debt or farme shall and may be duly & fully satisfied, Then after ten moneths next after such two Nihil: or garnishment returned, the same lands, tenements, and hereditaments shall be sold by her Maiestie, her heires, or successours, and the money thereof comming disposed according to the true meaning of the said former recited Act. 27. El. 3.

44 The said recited act, and this statute of explanation also, as touching only the sale of any lands, tenements, or hereditaments, to be made after the death of such accomptant or debtor, as is aforesaid, shall not extend to any lands, tenements, or hereditaments, which any person or persons not being priuie or consenting vnto any such intent, to defraud the Qu. her heires or successours, as in the said recited Act is mentioned, now haue or enioy, & haue purchased or obtained, or before any Scire facias to be awarded, as aforesaid, shall haue or enioy, purchase or obtain Bond fide, and vpon good consideration: any thing in this act or in the former act notwithstanding. 27. El. 3.

45 This Act of Explanation shall extend only to such as haue bin or shalbe Tellers, Receiuers, Treasurers, Customers, Cofferers of the household, farmors of twypost, Collectors, Bailifes, Victualers, & other officers of receipts & accompts vnto the Qu. her heires & successours, & to euerie of them, their heires, executors, and administrators, and to no other. 27. El. 3.

46 In such cases where any accompt shall or ought to be made, or any debt shall be owing in the Courts of the Duchie of Lancaster, & Wards & Liveries, or in any of them: Then after the death of such accomptant or debtor, as is mentioned in the said former act, in any of the said last mentioned courts, and before such time as any of the lands &c. descended vnto the heire of such accomptant or debtor, as heire vnto the said accomptant or debtor, shall be sold as aforesaid, such Proces shall be awarded as hereafter is expessed, viz. First a priuie seale commanding the same heire to make personall appearance in the court, out of the which the same priuie seale shall be awarded, to shew cause, as in the writ of Scire facias to be awarded out of the Exchequer is before appointed. And if the same heire shall make default at the day of the returne of the same priuie seale, then vpon Affidauit made, that the same priuie seale was duly serued, either vpon the person of the same heire, or left at the place of his or her dwelling, or most usual abode, an attachment with Proclamation shall be awarded

awarded against the same heire, and shall be openly published and proclaimed in some Market Towne in the Countie where the same heire was last dwelling, or made his or her usuall abode, upon some Market day there, in the time of open market, twentie daies at the least before the returne thereof: And if upon the returne thereof, the said heire shall estoones make default, then all things shall be done and executed for the sale of the same lands, tenements, and hereditaments, and for the full satisfaction of the same debt or farme, in like, and as large manner, to all intents, as before in this act is limited, in cases where default is made upon a garnishment or two Nihilis returned upon a Scire facias awarded out of the said Court of Exchequer. 27. El. 3.

47 If the heire of such accomptant or debtor before mentioned, shall happen to be within the age of 21. yeares, when any such Procees shall fortune to be awarded, Then during the time of his or her nonage, this Act or any thing therein contained shall not in any wise be extended, executed, or put in use as touching onely the selling of the lands, tenements, or hereditaments of any such heire: Any thing in the said act &c. notwithstanding. And yet nevertheless, after such time as any such heire shall accomplish the full age of 21. yeares, all and singular the lands, tenements, and hereditaments descended unto the same heire from any such Debtor or Accomptant as aforesaid, shall at eight times during eight yeares then next ensuing be subject and liable to be sold, for the payment and satisfaction of her or his heires, or successors, according to the intent of this Act, in such manner and forme to all purposes, as if the same heire had been of full age at the time of the death of such debtor or accomptant. 27. El. 3.

No sale during the heires minority.

48 This act shall not extend to the sale of the lands &c. of any such heire or heires, for, or by reason of any accompt, debt, or farme, whereof any such debtor or accomptant have, or shall have a Quierus est, or discharge in his or their life time. 27. El. 3. 1. lac. 25.

The lands liable to sale 8. yeares after the heires full age.

The Accomptant having a Quierus est.

49 If any disme or part of disme bee granted by the Clergie of the province of Canturburie, and Poike to the King, or to his heires, after the certificate thereof into the Exchequer, & of the names of the Collectors for the gathering of the same, if the same Collectors doe come by procees before the Barons of the Exchequer, and enter into their accompt, they shall not be bound to answer any bill or bills there exhibited against them by reason of the said entrie in their accompt, for any manner of cause but only for the matter touching the said accompt. But if the said accomptant be sued in any other Court, by writ, bill, or plaint, then he shall take no prejudice of the said Exchequer by reason of the same accompt for any such suit. 1. R. 3. 14.

Accomptants for dismes not chargeable to other suits in the Exchequer.

50 If he that is condemned and in execution at an other mans suit, will confesse himselfe debtor to the King, where he is no debtor of record, he shall be remanded to the first prison, and his creditor being satisfied, he shall be committed to the Fleet untill he hath payed the King the summe confessed. 1. R. 2. 12.

Confession of debt to the King, to avoid others execution.

51 The King nor his Bailifes shall seise any mans lands or rent for any debt, so long as the debtors presence, or cattell will suffice to pay the debt, and the debtor ready to satisfy it, nor any mans suerties shall be distrayned, so long as the chiefe debtor is sufficient: and if the chiefe debtor doth faile of the payment, not having or not willing to pay, the suerties shall answer it: and if they will, they shall have the debtors lands and rents, untill they be satisfied, except the debtor can shew himselfe to be acquitted against the said suerties. Magna Charta, An. 9. Hen. 3. 8.

Suerties not charged, the principall being sufficient.

52 No great distress shall not be taken for the Kings debt, nor dynen too far and if the debtor can finde sufficient and convenient suertie unto the Sherife, unto a certaine day within which he can procure a remedie to agree for the thing in demand, the distress shall be discharged in the meane time, and he that doth otherwise

The Sherife having procees to leue the Kings debts, must take the sureties.

Accompt.

The Sherife
having leuied
the Kings
debts, shal dis-
charge the
debtor.

wise shall bee grievously punished. 28. Ed. 1. 2. And all debts of the townsmen of the
Eschequer, that the Sherife or Bailife do confesse receipt of, shall bee payed with al-
lowed, so that whether he receiued all y^e debt or part, it shall neuer come in demand
or summons after the Sherife hath confessed payment. Sec. de distric. Sec. 1. H. 3.
And if the Sherif at the next accompt after he hath receiued such debts, do not acquit
the debtor, he shal pay to the plaintife thrice so much as he receiued, & make fine at
the K. pleasure. West. 1. 3. Ed. 1. 19.

Commissions
to enquire of
accomprants.

53 Immediately after every small accompt, made & deliuered befoze the Barons
of the K. Eschequer, by any Sherifs, Escheators, Customers, Comptrollers, and o-
ther officers accomptable, the tenor of the accompt of euery of the same officers shal
be from time to time sent into y^e counties in the which the same accomprants be of-
ficers, together with commissions directed to the most credible, lawfull, and dis-
cret persons, so; to enquire & make certifiat of the profits, which the said accompr-
tants haue receiued in the foresaid counties, in their owne name to the K. use, and
upon their accounts, haue deceitfully concealed and retained the same, to their owne
use and profit. And in case any such accomprants be attainted of any such frauds and
deceits, they shal forfeit to the K. treble of that wherof they shalbe convicted, & their
bodies shalbe impzisoned, untill they haue made fine & ransome to the K. according
to the discretion of his Judges. 6. H. 4. 3.

what debts
only may be
assigned to the
King.

54 No debt shall at any time after the first day of Julie, which shal be in the year
of our Lord God 1610, be assigned to the K. Maistie, his Heires, or Successors,
by or from any Debtor, or Accomprant; to his Maistie, his heires, or Successors,
other than such debts as did befoze grow due originally to the Kings Debtor, or ac-
comprant, Bona fide: And that all grants and assignements of debts to the Kings
Maistie, his heires, or Successors, which from and after the said first day of Julie
shall be had or made contrarie to the true intent of this Act, shall be void and of no
force: Any Law, Custome, Priviledge, or thing to the contrarie in any wise not-
withstanding. 7. Jac. 1. 5.

Accompt.

Accomprants
withdrawing
themselves.

If bailifs which are bound to yeld accompt to their Lords, doe withdraw them-
selves, & haue no lands or tenements wherby they may be distrained, then their
bodies shalbe attached, so that the Sherifes, in whose bailiwicks they shalbe found,
shall cause them to appeare, to yeld their accompts. Marb. 5. 2. Hen. 3. 2. 4.

where Audi-
tors may com-
mit accompr-
tants to pri-
son.

2 If the Master doe assigne Auditors to anie Bailifes, Seruants, Chamber-
laines, or other Receiuers, which are bound to yeld accompt, and if chance them to
be found in arrearages (all things being to them allowed) they shal be arrested, and
by the Testimonie of those Auditors committed to the next gaole which the King
hath in those parts, and shall bee receiued of the Sherife, or his Gaoler, and in pri-
son fettered in yrons, and remaine in the same prison liuing of their owne goods,
untill they haue fully satisfied their Master of all the arrearages. But if any such
is so committed to prison, will complaine that the Auditors haue wrongfully charged
him with receipts which he hath not receiued, or by not allowing him reasonable ex-
pences, and will find friends which will undertake to bring him befoze the Barons
of the Eschequer, he shalbe deliuered unto them, and the Sherife in whose custody
he is, shall warne his Master that hee doe appeare befoze the Barons of the Esche-
quer, at a certaine day, with the Kols and Tallies wherby he yelded his accompt,
and in the presence of the Barons, or the Auditors which they will assigne, the ac-
compt shalbe recited and Justice shal be done to the parties, so that if he be found in
arreages, hee shall be committed to the Fleet, and if he die, and will not willingly
yeld his accompt, he shalbe distrained to come befoze the Justices to accompt, if he
haue

have wherby to be distrained: and when he cometh to the Court, Auditors shall be appointed unto him, before whom if he be found in arrearages, and wil not forthwith pay the same, he shall be committed to the gaole, to be kept in forme aforesaid: and if he die, & the sherife do testifie that he cannot be found, the Exigent shall be awarded against him untill he be outlawed: and he which is so committed to prison, is not repleuisable. West. 2. An. 13. Ed. 1. 11.

1 An action of debt is maintainable against a Sherife or Gaoler, which letteth an Accomprant escape, that is committed to his gard. See Escape 1.

2 Executors shall have an Action of Accompt. See Executors 1.

3 For the accompt of those which shall receive any money for the mending of highwaies. See Highwaies 10. 11.

4 For the accompt of Collectors and Surueiors for the mending of Bridges. See Bridges 4.

5 For the accompt of the Surueiors of the poore. See Poore 2.

6 In debt vpon the arrearages of accompt the defendant may wage his law, or plead to an Inquest, See Wager 3.

Accusation.

No Freeman shall be taken or imprisoned, or disseised of his freehold, liberties, or free customs, nor shall he be outlawed, banished, or by any meanes brought to destruction: neither shall any passe, or sit in iudgement vpon him, but by the lawfull iudgement of his equals, or by the law of the Realme: Neither shall iustice or right be sold, denied or deferred to any man. Magna Charta 9. Hen. 3. 29. 5. Ed. 3. 9. And if any man be taken or put to answer without an indictment or presentment before Justices, or some matter of record, or by due proces, or by writ original, according to the old law of the land, the same is void and erroneous. 23. Ed. 3. 4. 2. 8. Ed. 3. 4. 2. Ed. 3. 2. See Suggestion.

No man shall be condemned without lawfull trial.

Additions.

In euery original writ of actions personals, appeales, and indictments, where an Exigent shall be awarded, the names of the defendants shall be put, with additions of their estate, or degree, or myserie, and the towne or hamlets, or places, and the countie of the which, and in the which they were or be conuersant. And if by proceſſe vpon the said original writs, appeales, or indictments, in which the said additions be omitted, any outlawries be pronounced, they shall be void, and before the outlawries pronounced, the said writs and indictments shall be abated by exception of the partie, whereas in the same the said additions be omitted. But though the same writs of Actions personals doe not agree with the records and deedes in surplage of the foresaid additions, yet for that cause they shall not abate. And the Clerkes of the Chancerie (vnder whose names such writs shall be written) shall not omit the same additions, vpon pain to be punished, and to make fine to the king at the Chancellors discretion. Hen. 3. 29. 5. Ed. 3. 9.

Additions where an exigent shall be awarded.

An offender in a writ of Excommunicato capiendo shall haue a sufficient addition. See Excommunication 8.

Adournement.

Wheras by removing of the common Bench, the pleas haue oftentimes abiden without day, to the great hurt and perill of dissension of diuers: It is enacted, that from henceforth, the Justices before the common Bench bee removed,

Admeasurement &c. Administrators.

ued,shalbe warned by a time,so that they may adiozne the parties by such time,that they shall not lose their proces. 2.Ed.3.11.

1 Fines shalbe effectuall,though Proclamations be not made by reason of adiornment of any Terme.S.Fines 11.

Admeasurement of dower,and pasture.

Admeasurement of Dower.

Dates given in the writ of admeasurement.

Admeasurement of pasture.

Secunda superoneratio pasture.

The Cardine shall have a writ of Admeasurement of dower: But yet by the Cardines suite,(if he will sue faintly & by collusion against the woman which is tenant in dower)the heire shall not be foreclosed when he cometh to full age,to admeasure the dower,as it is to be admeasured by the law of this Realme. And as well in the writ of Admeasurement of dower, as in Admeasurement of pasture, when the suit is come to the grand distresse,dates shall be given, within the which there may be holden two Counties, at the which open proclamation shall be made, that the defendant shall appeare at the day contained in the writ, to answer the plaintife,at which day if he do appeare, the suit shall proceed betwixt them, and if he do not appeare,and the proclamation be in forme aforesaid testified by the Sherife,aduertisement shall be made by the default. Westm 2.13.Ed.1.7.

2 If by a suit moued vpon a writ of admeasurement of pasture, the pasture was once admeasured, and that it chance after such admeasurement the pasture be overcharged againe by him that first did overcharge, with moe beastes than he ought to keepe,if the admeasurement were befoze the Iustices, the plaintife shall haue a Iudiciall writ,that the Sherife in the presence of the parties being summoned(if they will appeare)shall inquire of the second surcharge, which if it be found, shall be returned befoze the Iustices vnder the seales of the Sherif and the Iurors: and the Iustices shall award the plaintife damages, and shall put in the estreats the value of the beastes, which he that overcharged after the admeasurement, put in to the pasture moze than he ought, and shall deliuer the estreats to the Barons of the Exchequer to answer the King. If the admeasurement were made in the countie,then at the request of the plaintife,a writ shalbe awarded out of the Chancerie,that the Sherife shall inquire of such overcharge, and of the cattell put in the pasture aboue the due number, and shall answer the King the value of them in the Exchequer. And lest the Sherife should deceiue the king in this case,all such writs de secunda superoneratione, which be awarded out of the Chancerie, shall be entolled, and in the end of the yere,the transcript thereof shal be sent into the Exchequer vnder the Chauncelors seale, that the Treasurer, & Barons of the Exchequer may see how the Sherife hath answered the profit of such writs. And in like sort shal the writs of Redisseisin be inrolled and sent into the Exchequer in the end of the yere. Westm 2.13.Ed.1.8.

Administrators.

Where a man dieth intestate, the Ordinarie shall depute the next and most lawfull friends of him which died intestate,to administer his goods,which deputies shall haue an action in the kings Court to demand and recover as Executors,the debts due to him which is dead, and shall answer others in the B. Court, to whom the dead person was indebted and bound, in the same manner as Executors shal, & also shalbe accomptable to the Ordinary,as executors shal in case where a testament is made. 31.Ed.3.11.S.Ordinaries 1.

For as much as it is often put in vs, to the defrauding of creditors, that such persons as are to haue the administration of the goods of others dying intestate committed vnto them,if they require it,will not accept the same, but suffer, or procure

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cure the administration to be granted to some stranger of meane estate, & not of kin to the intestate, from whom themselves, or others by their meanes, do take deedes of gifts, and authorities by Letter of Attourney, whereby they obtaine the state of the intestate into their hands, & yet stand not subiect to pay any debts owing by the same intestate, and so the creditoꝝs for lacke of knowledge of the place of habitatiō of the administratoꝝ cannot arrest him, nor sue him: and if they sometime to find him out, yet for lacke of abilitie in him to satisfie of his owne goods, the valtie of that he hath conveyed away of the Intestates goods or releafe of his debts, by waite of waiking, the creditoꝝs cannot haue or reconer their iust & due debts. Be it enacted, that enerie person & persons, that hereafter shal obtaine, receiue, or haue any goods, or debts of any person dying intestate, or a releafe, or other discharge of any debt or dutie that belonged to the intestate, vpon any fraud, as is aforesaid, or without such valuabie consideration as shal amount to the value of the same goods and debts, or neere thereabouts, (except it be in or towards satisfaction of some iust & principall debt of the value of the same goods or debts to him owing by the intestate at the time of his decease,) shalbe charged, and chargeable as executoꝝ of his owne wrong, and so farre only as all such goods and debts comming to his hands, or wherof he is releafed or discharged by such administratoꝝ will satisfie, deducting neuerthelesse to and for himselfe allowance of all iust, due, & principall debt vpon good consideration without fraud, owing to him by the intestate at the time of his decease, & of all other payments made by him, which lawfull executoꝝ or administratoꝝ may and ought to haue and pay by the lawes and statutes of this realme. 43. El. 8.

*Fraudulent
Administration
of intestates
goods.*

1 To whom the Ordinarie shall commit the administration of the goods of an intestate, and what he shall take for the same. S. Probat of Testament 5. 6.

2 How farre the Ordinarie hauing goods of an intestate shalbe charged. S. Ordinarie 1.

Admirall and Admiraltie.

The Admirall & his deputie shal meddle with nothing done within this realme, but only with things done vpon the Sea. 23. Rich. 2. 5. And he that is grieved against this statute shall haue an action vpon the case against him which pursueth in the court of Admiraltie, and shal reconer against him double damages, and the pursuer being attainted shal forfeit to the King. 1. R. 2. H. 4. 11.

*with what
thing the Ad-
mirall shall
meddle.*

2 The Admirals Court hath no manner of cognisance, power, or iurisdiction of any contracts, ples, quarrels, or other things made or rising within the bodie of the Shires, by land, water, or wycke of Sea, but all such contracts, &c. and other things shalbe tried, determined, discussed, & remedied by the lawes of this Realme, and not before the Admirall nor his deputie. But the Admirall hath cognisance of the death or maihem of a man, committed in any great ship, fleeting vpon the high stream of great riuers, only beneath the points of the same riuers next the sea. And also to arrest ships in the great streams for the great voiaiges of the King & the realme: sauing to the King all forfeitures & profits thereof comming. And also he hath iurisdiction in the said streames during the said voiaiges only: sauing to all Lords, Barons, Knights, and Cities, their liberties and franchises. 15. Rich. 2. 3.

*where the
Admirals iur-
isdiction doth
lie.*

3 By the statute 2. H. 5. 6. like power as the Admiral hath, is giuen to him which shalbe assigned by the King in any port to be conseruator of the truce, except for the determination of the death of a man which is committed vpon the maine sea, and the execution of the same, which is alwaies referred to the Admirall or his generall Lieutenant. S. Piracie.

*Conseruator
of the truce.*

1 For the authorities delegates in marine causes. S. Appales 8.

Ad quod damnum. Age. Aide to make &c.

Ad quod damnum.

In Ad quod
damaum upon
any libertie
purchased.

They which will purchase a new Parke, Religious people that will amortise lands or tenements, must have a writ out of the Chancery, to inquire upon the points accustomed in such cases, & the Enquests must be returned into the Exchequer, and there they shall make fine for the amortisement, or for the parke, if the enquest do find for him that purchased the writ: and from thence it shall be sent to the Chancery. And the same manner is to be observed of those which will purchase lands or tenements holden of the R. in chiefe. And in like sort it shall be done with them which will purchase a Faire, a Parket, a Warreine, or other libertie. Ordinatio de Libertatibus perquirendis, An. 17. E. 1.

1. That lands may be given to the maintenance of houses of correction, or of poor mens stockes, without an Ad quod damnum. S. Mortmaine 1.

Age.

Nonage that
not helpe the
disseisor or his
heire.

Relates.

Attaint.

Nonage that
not stay an
Enquest.

Suit by pro-
chein amy.

If any man do purchase an Assise, and the principall disseisor dyeth befoze the Assise doth passe, the plaintife shall have a writ of Entry upon disseisin against the heire of the disseisor of what age soever he bee. And in the same manner the heire of the disseisee shall have his writ of Entry against the disseisor or their heires of what age soever they be, if the disseisee die befoze him that purchased his writ, so that the writ shall not be abated, nor the plea delayed by the nonage of the heire of the one partie nor of the other, but in that a man may without offending the law, fresh suit shall be made in hast after the disseisin. And this point shall be observed in the right of Relates and others, to whom lands cannot by any meanes come after the death of others, whether they be disseisees or disseisors. And if the parties in pleading descende to an Enquest, and that doe passe against the heire within age, and namely against the heire of the disseisee, he shall in that case have an Attaint by the kings special favour without giuing any thing theretoze. West. 1. 3. E. 1. 46.

2. If an Infant be kept from his inheritance, after the death of his father, grand father, or great grandfather, wherby he is enforced to have a writ, and his aduersarie doth appeare in court, & in pleading alledgeth a feoffment, or sheweth some other thing, whereby the Justices do award an Enquest, there wheras and Enquest was deferred unto the full age of the Infant, now the Enquest shall passe as though he were of full age. Gloucest. 6. E. 1. 2.

3. In euery case where such as be within age may sue, if they bee assigned, so that they cannot personally sue, the next friends shall be admitted to sue for them. West. 2. 13. E. 1. 15. West. 1. 3. Ed. 1. 47.

1. A womans suit shall not be deferred by the minority of her husbands heire. S. Women 15.

2. An Apprentice bound within age, shall serue as if he were of full age. S. Laborers 23.

Ayde to make to sonne Knight, and to marie the daughter.

There shall bee taken of a whole Knights fee for reasonable ayde to make the sonne Knight, or to marrie the daughter, but xx. s. and of xx. pound land holden in Bocage xx. s. and of more, more, and of less, lesse, after the rate. And now shall leuie such ayde to make his sonne Knight, until his sonne be xv. yeares of age, nor to marie his daughter until she be of the age of vij. yerres, and thereof mention shall be made in the Kings writ framed thereupon. When any man will demand it. And if the father chance to die, when he hath leuied such ayde of his tenants, befoze

he hath married his daughter, the fathers executors are bound to satisfie the daughter of so much as the Father receiued for this aide. And if the fathers goods be not sufficient, his heire shall satisfie the daughter. West. 1. 3. Ed. 1. 35. And the same law is in the Kings case to make his eldest sonne knight, or to marry his eldest daughter. 25. Ed. 3. 11.

The Kings son or daughter.

Ayde of the King.

If the King make a feoffment, and the deed thereof containeth so much, that another person by like deed or feoffment should be bound to warrantie, the Justices shall proceed no further, except they haue commandement from the King. But where the King hath confirmed or ratified another mans deed, of that thing which was another mans, or hath granted any thing to another as much as in him is, or where a deed is shewed forth, that the King hath given any tenement, in which deed there is no clause of warrantie, and in such like cases, it shall not be surceased by occasion of such confirmation, ratification, graunt, or render, or other like: But after the same is shewed to the King, they shall proceed without delay. Stat. de Bigamis 4. Ed. 1. & 2. S. Assise 5.

where aide shall be granted of the King where not.

2 Concerning the Dowers of women, where any Gardeins of the inheritance of their husbands haue the wardships of the gift or grant of the King, whether the Gardeins doe hold the thing in demand, or doe call the heires of the said tenements to warrantie, if they doe except, that they cannot answer without the king it shall not therefore be surceased, but the suit shall in due manner proceed. Stat. de Bigamis. 4. Ed. 1. 3.

In Dower the Kings patents of a ward, shall not haue aide.

3 A man shall haue but foure writs of Search for the king, whereof every writ shall be deliuered forthie daies befoze the returne of the same. And then they which sue for the King, shall be put to answer and to defend the Lands and Tenements demanded against the King, as well as they can, whether any monument or remembrance be found for the king, or not, though the suit be in the Parliament, Chancery, Kings bench, or Common place. And by commandement vnder the great or priue Seale, no point of this Statute shall be delayed. 14. Ed. 3. 14.

four writs of Search.

1 Vpon a Trauerse two writs of Search shall be granted. S. Trauerse 5.

2 In Assise brought against the Kings Patentee hee shall not haue Ayde. Assise 5.

Alehouse.

The Justices of Peace within every Shire, Citie, Borough, Towne Corporat, Franchise, or libertie within this Realme, or two of them at the least (where of one to be of the Quorum) shall haue full authoritie within every Shire, City, borough, &c. where they be Justices of peace, to remove, discharge, and put away common selling of Ale and Beere, in common Alehouses, and Tipling houses, in such towne or townes, and places, where they shall thinke meet and conuenient. 5. & 6. Ed. 6. 25. 11. H. 7. 2. S. Just. of P. 71.

Justices of peace may discharge Alehouses.

2 None shall be admitted or suffered to keepe any common Alehouse, or Tipling house, but such as shall be thereunto admitted & allowed in the open Sessions of the peace, or else by two Justices of the peace, whereof one to be of the Quorum. And the said Justices of the peace, or two of them (whereof one to be of the Quorum) shall take bond & suretie, from time to time by recognizance of such as shall be admitted & allowed to keepe any common Alehouse, or tipling house aswell for and against the using of vnlawfull games, as also for the using & maintenance of good order & rule, to be had and used within the same, as by their discretion shall be thought necessary & con-

Allowance of Alehouses.

con-

Alehouse.

convenient: for making of every which recognisance, & party or parties that shalbe so bound shal pay but xj. s. And the said Just. shall certifie the same recognisance at the next quarter Sessions of the peace to be holden within the same shire, citie, borough, towne corporat, franchise or libertie, where such Alehouse, or tipling house shalbe: The same recognisance there to remaine of recozd befoze the Just. of P. of the same shire, citie, borough, &c. upon pain of forfeiture to the R. for every such recognisance taken and not certified iij. l. viij. s. viij. d. 5. & 6. E. 6. 25.

Inquarie of those which have forfeited their recognisances.

3 The Just. of P. of every shire, Citie, Borough, &c. where such recognisance shalbe taken, shal have authoritie in their Quarter sessions of the peace, by presentment, information, or otherwise, by their discretion, to inquire of all such persons as shalbe admitted and allowed to keepe any such Alehouse or tipling house, & that be bound by recognisance, as is aforesaid, if they or any of them have done any Act or acts, whereby they or any of them have forfeited the same recognisance. And the said Justices of every shire, & places where they be Justices, shal upon every such presentment, or information, award proces against every such person so presented, or complained upon befoze them, and shal have full power to heare and determine the same, by all such waies and meanes, as by their discretion shalbe thought good. 5. & 6. E. 6. 25.

The penaltie for keeping an Alehouse without licence.

4 If any person or persons, other than such as shal be admitted & allowed by the said Just. of P. shal obstinately & upon his owne authoritie, take upon him or them to keepe a common Alehouse, or tipling house, or shal contrarie to the commandment of the said Just. or two of them, use commonly selling of Ale or Beere, then the said Just. of peace, or two of them (whereof one to be of the Quor) shal for every such offence, commit every such person or persons so offending, to the common gaole within the same shire, Citie, Borough, Towne corporate, Franchise, or Libertie, there to remaine without baile or maineprie, by the space of thre daies. And befoze his or their delivrie the said Justices shal take recognisance of him or them so committed, with two sureties, that hee or they shal not keepe any common Alehouse, Tipling house, or use commonly selling of Ale or Beere, as by the discretion of the same Justices shal seeme convenient. And the said Just. shal make Certificate of every such recognisance, and offence, at the next quarter Sessions that shal be holden within the same shire, citie, borough, &c. where the same shal be committed or done: which Certificat shalbe a sufficient conviction in the law of the same offence. And the said J. P. upon the said certificat made, shal in open sessions assesse the fine for every such offence xx. s. 5. & 6. E. 6. 25.

Alehouses kept inaires.

5 Provided alwaies, that in such townes & places where any faire or faires shal be kept, that for the time only of the same faire or fairs, it shalbe lawfull for every person and persons, to use common selling of Ale or Beere, in bothes, or other places there, for the reliefe of the Kings subiects, that shal repaire to the same, in such like maner and sort, as hath bin used and done in times past: This Act &c. notwithstanding. 5. & 6. E. 6. 25.

In Alehouse keeper permiting any to continue drinking in his house.

6 If any Innekeeper, Victualler, or Alehousekeeper, within this realme of England, or dominion of Wales, doe permit or suffer any person or persons inhabiting and dwelling in any city, towne corporat, market towne, village or hamlet, within this realme of England, or dominion of Wales, where any such alehouse or tipling house is, or shalbe, to remaine and continue drinking or tipling in the said Inne victualing house, tipling house, or Alehouse, (other than such as shal be invited by any traveller, and shal accompanie him only during his necessarie aboad there, and other than laboring & handicrafts men in cities & townes corporat, & market townes, upon the usuall working daies for one houre at dinner time to take their diet in an Alehouse, and other than laborers and workemen, which for the following of their worke by the day, or by the great, in any citie, towne corporate, market towne, or village

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village, that for the time of their continuing in tooke there, to be borne, to be paid, or to be
 shall in any Inn, Alehouse, or other dwelling house, other then for urgent and
 necessary occasions to be allowed by two J. of P. then every such Innkeeper, or other
 for every such offence forfeit x. s. of current money of England, to the use of the Poor
 of the parish where such offence shall be committed: The same offence being proved
 before any Mayor, Bailiff, or J. of P. within their respective limits, or proved by
 the oath of 4. witnesses to be taken before any Mayor, Bailiff, or any other head magis-
 trate, or any one or more Justices of the Peace, who by virtue of this Act shall have
 authority to administer the said oath to any person or persons, that such or which is the
 same, being within the limits of their said Commission. 7. Jac. 6.

8. If any Innkeeper, or other person, shall at any time utter or sell less then one full ale quart
 of the best bere or ale for a penny, & of the small two quarts for one penny, then every
 such Innkeeper, or other person, shall for every such offence, being duly proved in manner a-
 bove limited, &c. to the use abovesaid. All & every the said penalties to be levied by
 the Constables or Churchwardens of the Parish or Parishes where the offence or
 offences shall be committed, by way of distress to be taken and detained for the said
 forfeitures, and for default of satisfaction within five dates next ensuing, the same
 then to be presently appraised and sold, and the surplussage and overplus due and a-
 bove to be delivered to the partie of whom the distress was taken. And for want of
 sufficient distress, the partie or parties offending, to be by the Mayor, Bailiff, or
 committed to the common Gaole, there to remaine untill the said penalty or pen-
 alties be truly payed. 1. Jac. 9.

9. If the Constables or Churchwardens do neglect their dutie in leaping, or doe
 not leue the said severall penalties, or in default of distress or distresses from time
 to time do neglect to certifye the same default of distress, by the space of 11. dates
 then next ensuing, to the Mayor, Bailiff, or within whose jurisdiction the offence
 is committed: When every person and persons so offending, shall forfeit for every
 such default x. s. to the use of the Poor of the Parish where such offence shall be
 committed, to be leuied by way of distress of the offenders goods, by warrant from
 any one or more Justices of the Peace, Mayor, Bailiff, or within the limits
 of their jurisdictions respectively, under his or their hand and seale, to be taken and
 detained for the said forfeitures, for the space of five dates then next ensuing: with-
 in which time, if payment be not made, the same goods to be presently appraised and
 sold, and the surplussage and remainder due & above (if any be) to be delivered to
 the partie of whom the distress was taken, and for want of such sufficient distress,
 the Constables, or other offending, to be by the Mayor, Bailiff, or committed to the
 common Gaole, there to remaine untill the said penalty or penalties be truly
 payed: For all which penalties that so shall be levied by the said Constables, or
 Churchwardens, they the said Constables, &c. shall be accountable to their succe-
 ssors, and other the Parishioners, in such sort as they usually be in other Church
 reckonings, or accounts. And for all forfeitures to be levied by reason of any neg-
 lect of the Constables, or Churchwardens, those shall be accountable, who by force
 of any warrant or precept doe leue the same, or upon the enlargement of persons
 committed, doe receive the same. All other Lawes and Statutes touching Inne-
 keepers, Alehouses, and Alehouse keepers, shall remaine in their force, and be put
 in execution. 7. Jac. 9.

10. The correction & punishment of such as shall offend against this Act or any
 part thereof, within either of the Antierities of this Realme or the precincts or
 liberties of the same, shall be done, upon the offenders, & justice shall be ministered
 in this behalf according to the true meaning of this Law, by the Justices, Ma-
 gistrates, Justices of the Peace, or other principall officers of either of the same Ant-
 ierities, to whom in other cases the administration of justice, and punishment of
 offend-

The prices of
 a quart of ale
 and bere.

The Const-
 ables or
 Churchwar-
 dens omitting
 their dutie.

Constables &
 Churchwar-
 dens accounts

Offences com-
 mitted within
 the Antier-
 ities.

Alehouse.

offendours by the lawes of this Realm, & their severall Charters both belonging, & no other within their liberties for any matter concerning this Law, contrarie to their severall Charters shall intermeddle. And all penalties and summes of money, to be forfeited by force of this Act, within either of the Universities, or the liberties of the same, shall be levied by the Officers or Ministers of either of the said Universities, to be from time to time in that behalfe appointed by the Vicechancellors thereof for the time being respectively. And all powers & authorities either of imprisonment, or otherwise before given or appointed by this Act, shall by the Governors, Magistrates and principall Officers abovesaid of either of the said Universities, be duly executed & done within either of the said Universities, and the liberties and precincts of the same, according to the true meaning of the same. 1. Jac. 6.

10 To continue to the end of the first Session of the next Parliament.

None shall sell Beere or Ale to an Alehouse keeper, not having a licence.

10 No person or persons by himselfe, or by any other waies or means, directly or indirectly, shall sell, utter, or deliver, or cause to be sold, uttered, or delivered, any Beere or Ale, to any person or persons, or into the House or Celler of any person or persons, that then shall sell, or utter Beere or Ale as a common Tripler, or Alehousekeeper, the same person not having any Licence then in force to sell Ale or Beere, other then for the convenient use, & expence of his, her, or their household only, upon paine to forfeit for everie Barrell sold, uttered, or delivered contrarie to the forme and true meaning of this Act, vi. s. viij. d. and so after that rate for a greater or lesser quantitie. 4. Jac. 4.

Where the offence shall be inquired of & determined.

11 All offences to be done, or committed, contrarie to the true meaning of this Act, and all penalties aforesaid shall be enquired of, sued for, heard and determined in the Sessions of the Peace for the Countie, Citie, or borough, towne or Libertie, or in the Court of record of the Citie, borough, towne, or libertie, wherein such offence shall be committed, by Action of debt, Information, Indictment, or presentment, wherein no Essoine, Protection, or wager of law shall be allowed to the Defendant: And the one halfe of all which forfeitures shall be to the use of the Poore people inhabiting within the Citie, borough, Hundred, towne, or libertie, where such offence shall be committed from time to time, and the other half thereof to him or them, that will sue for the same. 4. Jac. 4.

The Poore people of the forfeitures delivered to the Overseers.

12 And to the end that the said one halfe of the said forfeitures above limited to be to the use of the said Poore people, may be truly employed and bestowed upon them, according to the true meaning of this Act: Be it further enacted, that the Shirisfe, Bailisfe, or other officer, or person that shall levie or receive any summe of summes of money forfeited, and recovered according to the true meaning of this Act, shall and may by vertue of this Act, without further warrant, deliver the one halfe of the same summe and summes of money, by him or them so levied or received, to some one, or more of the Churchwardens and Overseers of the Poore of the same Parish where the same offence shall be committed, to be by them and every of them distributed and bestowed amongst the said poore people, according to the true meaning of this Act, who shall likewise have authoritie by vertue of this Act to distribute and bestow the same accordingly. And everie Shirisfe, Bailisfe, and other officer and person which shall levie or receive any such forfeiture or forfeitures aforesaid, and shall pay over the moitie and one halfe thereof, according to the true meaning of this Act, shall bee thereof discharged against the Kings Majestie, his heires and successours. 4. Jac. 4.

The Officer paying to the Overseers the moitie, shall be discharged.

The forfeiture for not distributing the money to the Poore.

13 If any Shirisfe, Bailisfe, or other Officer or person shall refuse to pay over the Moitie & one halfe of the said money by him or them levied or received, or that the said Churchwardens & Overseers, to whom the said money shall be so paid, shall not from time to time within convenient time truly distribute & bestow the same, to and amongst the Poore people, according to the true meaning of this Act, then every

every person so offending, shall forfeit double the value thereof, to be recovered and employed as aforesaid. 3. Jac. 4.

14 If any person being an Alehousekeeper, (after six weeks next ensuing this Session of Parliament) shall be lawfully convicted for any offence or offences committed against any of the Statutes of the two former Acts of Parliament made thence & beginning of this present Parliament, the one entituled an Act to restrain the inordinate haunting and typling in Innes, Alehouses and other Victualling houses, the other intituled an Act against the odious and lothsome sinne of drunkenness, Then every person or persons so convicted shall for the space of three yeares next ensuing the said conviction be utterly disabled to keepe any such Alehouse. 7. Jac. 10. 1. Jac. 9. 4. Jac. 5.

The penaltie for offences against the Statutes of 1. & 4. Jacobi.

Aliens, Strangers, and Denizens.

No person not borne under the kings obedience, or made Denizen, being artificer or handicrafts man, nor none other for him, or to his use, shall make any Cloth, or put any wooll to work, to make any Cloth in this Realme, upon paine to forfeit the same Cloth: Nor shall sell any wares within this Realme, but onely in grosse, and not by retails, and in the Port, Towne, or place, where the same Artificer, shall be dwelling, & in none other place, upon paine to forfeit the same wares to the King, and him that will seise, or sue for the same by A. J. &c. wherein no W. &c. C. P. &c. 1. R. 3. 9. S. Merchants 1.

Aliens shall make no cloth.

Aliens shall sell no wares but in grosse.

2 Every Alien made Denizen, shall pay to the King and his heires, and to every other person, and to all Officers of Cities, Boroughs, and Towns, all such Subsidies, Customs, Tolls, Duties, and other summes of money for their wares, Merchandizes, and goods, as they should have payd before they were Denizens: any grant made, or to be made, or any Statute &c. notwithstanding. But all Officers of Cities, Boroughs, and Towns, wherein any such duties, &c. shall be demanded, shall set up in open place of such Citie, Borough or Towne, a Table or Tables, by which the certaintie & dutie of such Customs, Tolls, &c. may appeare, to the intent nothing may be exacted, otherwise then hath bene accustomed. This Act shall not be prejudiciall to the Merchants of the Staple in London, but they shall enjoy such priviledges &c. as they had before the making thereof. 22. H. 8. 8. S. Corporation 6.

Denizens shall pay such duties as they did before.

Merchants of the Staple yard.

3 All Aliens borne being Denizens, or not Denizens, using any manner of handicraft, inhabiting within London, or the Suburbs thereof, within Westminster, the Parish of Saint Martins in the field, the Parish of our Ladie of the Stronde, Saint Clements of Danes, Saint Giles in the field, Saint Andrews in Holborne, the Towne & Borough of Southward, Shoreditch, White Chappell Parish, Saint Johns Street, the Parish of Clerkenwell, Saint Botolphs parish without Aldgate, Saint Katherinees, Warmondsey Creeke, or within two Miles compasse of the said Citie of London, or the Parishes, aforesaid, shall be under the search and reformation of the Wardens and Fellowship of the Handicrafts, which they doe occupy within the said City, with one substantiall stranger, being an householder of the same Craft by the same Wardens to be chosen. And those Wardens and stranger shall appoint to every Alien being a Blacke Smith, Cooper, Pouchmaker, or Joyner, (taking nothing therefore) a Marke, which he shall put upon his work, ware, or vessel. And if any stranger using the mystrie of Smiths, Joyners, or Coopers, shall make any wares or vessels concerning the same mystries, and do not put such marke to every of them before they be put to sale, or use, without taking any thing therefore, he shall forfeit the double value of the same wares & vessels to the R. & J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 19.

Aliens in London, or two miles compasse.

Every Alien shall have a marke to set upon his worke.

Aliens, Strangers, & Denizens.

ec. But if the said Wardens &c. refuseth to marke the wares of any Stranger requesting the same, then the Stranger may put to sale his said wares. 14.H.8.2.

wardens shal
search all Ali-
ens wozke.

4 The Wardens of euery such myſtery, calling to them one ſtranger of the ſame myſterie, being a houſholder, haue power to ſearch, view, and reſozme in London, and other places afozeſaid, all wares of woꝝkmanſhips made by Handycraft men being Aliens. And if vpon ſuch ſearch, they ſhal find & adiudge any veſſels, oꝝ ware, in the poſſeſſion of the woꝝkers oꝝ owners, falſly & deceitfull made, to the hurt of the kings people, then the ſame woꝝker oꝝ owner, in whoſe poſſeſſion the ſame falſe and deceitfull wares ſhall be found, ſhall forfeit the ſame to the king, and the firſt finder thereof, to be recovered in any of the R. courts, by action of Detinue, wherin no W.C. oꝝ P. &c. 14.H.8.2. And if any Stranger artiſcer that is an houſholder, being required by the Wardens, gouernozs, oꝝ their deputies, do reſuſe to go with the ſaid Wardens to make ſearch in ſozme afozeſaid, & that be pzoued before the Chanceloz of Eng. the Mayoꝝ of London, oꝝ the chiefe officer of the Citie, boꝝough, towne, where &c. he ſhall vſe ſuch occupation no moze within England. 21.H.8.16.

A Stranger,
Artiſcer re-
fuſing to make
ſearch.

wardens, bai-
lifes, gouer-
nours, may
ſearch Aliens

5 Wardens and Paſſers of Fellowſhips of all handycrafts within any Citie, Boꝝough, oꝝ Towne Coꝝpozat where Wardens be, and the Baylifes oꝝ Gouer- noꝝs of towne &c. where no Wardens be, haue authoritie with the Bailife oꝝ Bai- lifes of the libertie, where any Libertie is, (being content ſo to do) to view, ſearch, and reſozme Strangers, inhabiting and vſing within any ſuch Citie, Towne, &c. any Handycraft, in as ample manner as the Wardens and Fellowſhip of London may doe by this Act. And all Strangers vſing any of the ſaid handycrafts, in any of the ſaid Cities, Boꝝoughes, &c. be bound to doe and obey in euery thing according to the tenoꝝ of this Act, vpon the paines and forfeitures, and to be recovered as is aboue remembzed. But this Act doth not extend to the Inhabitant Strangers in the Uniuerſities of Oxfoꝝd, or Cambꝝidge, oꝝ within the Sanctuarie of great S. Mar- tins within London. 14.H.8.2.

Aliens in Ox-
foꝝd, Cam-
bꝝidge, & great
S. Martins.

The remedie
if Aliens be
intreated
woꝝongfully.

6 If the Wardens of any Fellowſhip &c. Bailifes, Gouernozs, &c. wil woꝝong- fully intreat any ſtraunger in erecuting any thing contained in this Act, then the ſtraunger grieved, may by bill oꝝ information complaine to the Lord Chancel- loꝝ, and Treazoꝝer of England, oꝝ to the Juſtices of the Aſſiſe in the County, which by their examinations haue authoritie to heare and determine the ſame complaint, and to aꝝward to the complainant ſuch amends, as by them ſhall be thought reaſona- ble. 14.H.8.2.

Aliens ſhal be
Contributoꝝie
to ſubſidies &
taxes.

7 All Strangers artiſcers made Denizens, that will inhabit within London, the Suburbes oꝝ Pariſhes afozeſaid, oꝝ within two miles compaſſe of the ſame & keepe houſes and occupie their craft, ſhall be contributoꝝie to and with the Kings ſubiects artiſcers within London, paying and bearing the charge following: (that is to ſay) euery Stranger Coꝝdwainer, being an houſholder, which woꝝketh old ſuffe oꝝ new, ſhall quarterly pay to the Paſſer, Wardens, & Comminaltie of the ſaid Craft of Coꝝdwainers within the ſaid City vj. s. And euery ſeruant Stranger not being Denizen, ſhall pay quarterly iij. s. And all other Strangers, Artiſcers, and Denizens of euery handycraft, inhabiting within London, oꝝ any other Citie oꝝ Towne within this Realme, ſhal pay, beare, and ſuſtaine all like charges, as the Kings Subiects of like myſterie, boꝝne out of his obepſance, inhabiting within the ſame Citie, Towne, &c. do beare. And all Strangers, artiſcers, and Denizens, erer- riſing the ſaid craft of Coꝝdwainers, dwelling out of London, in any other Citie, oꝝ Towne, ſhall pay, beare, and ſuſtaine, ſcot, taxes, tallages, ſubſidies, preſts, and all other reaſonable exactions, as the Paſſers, Wardens and companies of the ſaid Crafts ſoꝝ the time being, be bound to pay, when any ſubſidie, tare, tallage, oꝝ preſt, oꝝ other reaſonable charges ſhal be aſſeſſed by the Maioꝝ & Aldermen oꝝ com- mon Counſell of the ſaid Cities, Townes, &c. of, oꝝ ſoꝝ any charge oꝝ payment of money

money to be payd vnto the King, or for any cause concerning the Common wealth of the said Cities, Towns, or Artificers, &c. And whosoever denieth to pay as contributozie with the said Companies, shall not any longer occupie any Handicraft, vpon paine to forfeit r. l. to the King and 3. to be recovered by A. J. &c. wherein no W. C. or P. &c. 21. H. 8. 16.

Quere, whether he shall forfeit x. li. all his goods, or the value of the thing by him Quere. sold.

8 The Straunger, Artificer, Denizen or not Denizen, being a Houholder, which will remaine within this Realme, shall vpon lawfull notice to him giuen by the Master or Wardens of his craft, or one of them, personally present himselfe in the common Hall, or meeting place of the said Craft, within the city or town where he doth inhabit, and there shall be swozne vpon the holy Euangelists to be faithfull and true to the King, and his heires, Kings or Queenes of England, and to be obedient to his or her lawes, and to all Acts, Ordinances, and Decrees made and confirmed by his and her Counsell, or by his Counsell. And that at all times when he shall be appointed by the Wardens of the Fellowship &c. or their deputies, he shall be readie to goe with the said Wardens to make search. And that he shall not giue notice to any Stranger of the said search, vntill he with the said Wardens come together to make the same. And that he shall well, indifferently, and truly behaue himselfe, setting al affection, fauour, malice, and dread of any creature, and al fraud and deceit apart. And the Oath so received, the said Stranger shall pay for his admission, as the Kings subiects vse to pay. 21. H. 8. 16.

The Strangers oath.

9 No Stranger artificer not being Denizen, shall set vp or keepe any house, shop, or chamber within London, or any other Citie, Towne, Borough, or Village, wherein he shall exercise any Handycraft or mysterie, vpon paine to forfeit all his goods. 1. R. 3. 9. 21. H. 8. 16.

Denizen Artificer onely shall keepe house, shop, &c.

10 No Stranger artificers, Denizens, or other, bozne out of the Kings obeyesance, shall assemble in any Company, Fellowship, Congregation, or Conuenticle, but only in the Common Hall of their crafts, with the Kings subiects of the same crafts, at such time as they shall be commanded by the Master and Wardens of the said crafts, and at none other place, or time, or in other manner, vpon paine to forfeit all their goods. 1. R. 3. 9. 21. H. 8. 16.

Aliens shall not assemble but in their Halls.

11 All aliens being in friendship with the King and the Realme, and comming within any Cities or Townes within the Realme, with fish, or other victuals, and there tarrying, and returning againe to their owne Countries, shall be vnder the Kings protection, and it shall be lawfull to euery of them to cut their fish and victuals in peeces, and by retail, or in grosse to sell the same. 6. R. 2. 10. And if any man disturbe any alien to sell his fish in forme aforesaid, he shall forfeit r. l. 14. H. 6. 6. S. Victuals 2. Marchants 1.

Aliens victualers.

12 No person stranger, being a common Baker, Brewwer, Surgeon, or Scrivener, shall be interpreted a handicrafts man, by reason of being any of the said sciences of baking, brewing, surgerie, or writing. 22. H. 8. 13.

Handicrafts men.

13 All leases of any dwelling, house or shop within any the Kings dominions, made to any stranger artificer, or handicrafts man, bozne out of the Kings obeyesance, not being Denizen, shall be void. And no stranger artificer, or handicrafts man, bozne out of the Kings obeyesance, not being Denizen, shall take any lease of any dwelling house or shop, within any the Kings dominions, vpon paine to forfeit for euery time doing contrarie v. l. And no person shall grant or let to ferme any dwelling house or shop to any such stranger &c. not being Denizen, to the intent to inhabit in the same, vpon like paine to forfeit v. l. to the King and 3. to be recovered by A. J. &c. wherein no W. C. or P. &c. 32. H. 8. 16.

Leases of houses to Aliens being not Denizens.

14 Cuerie alien bozne out of the kings obeyesance, not being Denizen, which now

Aliens, Strangers, & Denizens. Amerciaments &c.

**Aliens bound
vnto the lawes
of this realme**

**Denizens
bound to obey
the Statutes**

**A Prouiso in
patents made
to denizens.**

**Statutes
repealed.**

**Quere.
Triall.**

**Wesell.
Benefice.**

Viſuals.

**Woolles.
Woolles.**

**Inheritable.
Herring.**

Money.

**Gold.
Cuſtome.**

**None ſhall be
amerced, but
according to
their offence.**

now be, or hereafter ſhall come in or to this Realme, or elſewhere within the ſ. do-
minions, ſhall be bound by and vnto the Lawes and Statutes of this Realme, and
to all the contents of the ſame. And all ſtraungers bozne out of his Graces obeys-
ſance, which heretofore haue bene made Denizens, or that hereafter ſhal be made
Denizens, ſhal be bound and obedient by and vnto all the afoſaid Statutes, made
1.R. 3. 14. H. 8. & 21. H. 8. and to all the contents of the ſame, and to all other Sta-
tutes heretofore made, now being in their force: Any Letters Patents, or Ordi-
nances heretofore made, or hereafter to be made, to the contrarie &c. notwithstanding.
And alſo in euery Letters Patents, of, or for the making of any Denizen, to
be made to any ſtranger, not being bozne vnder the Kings obeysſance, it all be con-
tained a Prouiſo, That he to whom ſuch Letters Patents ſhal be ſo granted ſhal
be bound and obedient by and vnto all the Acts and Statutes of this Realme, and
to all and euery the contents of the ſame, except it ſhall be the Kings pleaſure to
grant to any ſuch alien, any ſpeciall Liberties or Priuiledges, more, or otherwiſe
than is contained in the ſaid Statutes. And in that caſe, all ſuch Liberties and
Priuiledges ſo to bee graunted to any ſuch Alien, contrarie to the ſorme of any of
the ſaid Statutes, ſhall be plainly, wholly, and particularly expreſſed by ſpeciall
words, as well in the Bill aſſigned with the kings hand, for obtaining of any ſuch
Graunt, as in the Letters Patents to be made out of the Chauncerie for the ſame.
32. H. 8. 16.

15 In the ſoſaid Statute of 1. R. 3. 14. H. 8. 21. H. 8. & 32. H. 8. there be ſeu-
rall ordinances for the taking and keeping of Apprentices, Journeyman, and ſer-
uants by Aliens, and of Aliens: but the force of them ſeemeth to be taken away by
the Statute made 5. Eliz. 4. which repealeth all Statutes beſore that time made,
concerning the hiring, keeping, order &c. of Seruants, Artificers, Apprentices &c.
and the penalties concerning the ſame. Sed Q.

1 Where an Enqueſt ſhall be de Medietate lingue, an Alien being partie, & where
not. S. Iurors 11. 29. 30. Attaints 21.

2 No Alien borne, ſhall worke veſſel made of Tinne or Pewter. S. Pewter 8.

3 No Alien ſhall take a Benefice, nor any ſhall occupie it to his uſe without the K.
Licence. S. Præmunire 2. 4.

4 Aliens being in amitie with the King, may bring in Viſuals, & ſel them in groſſe,
or by reſaile. S. Viſuals 2. Marchants 1.

5 At what time of the yere a Marchant Alien may buy wooll. S. Woolles 6.

6 No Alien ſhall force, clack, or beard, wooll. S. Woolles 8.

7 Which Aliens be inheritable in England. S. Abilitie 2.

8 In what caſe Herring may be bought of an Alien, and in what not. S. Fiſh. 13.

9 Aliens ſhall employ their money here receiued vpon the commodities of this
Realme S. Marchants 9. 10.

10 Gold or ſiluer may not be deliuered to any Alien. S. Money 2.

11 What cuſtome Aliens ſhall pay for ſalted fiſh or herrings brought into this
Realme. S. Fiſh 18.

12 A remedie for Aliens robbed on the Sea. S. Safeconduſt 3.

13 No Alien ſhall weaue or make any Worſteds, Sayes, or Stamines in great Yar-
mouth or Linne. S. Worſteds 7.

14 No Alien ſhall conuey any Bowes or Arrowes out of the Realme, nor uſe ſhoo-
ting. S. Archerie 6. 7.

Amerciaments and Fines to the King.

No Citie, Borough, or Towne, nor no man ſhal be amerced but for reaſonable
Cauſe, and according to the quantitie of his offence, & a freeman ſauing his free-
hold,

Amerciaments and Fines to the King. Apparance. 125

hold, a merchant saving his Merchandise, and any other mans villaine (except the Kings) saving his villaine tenure, if he offend the King. And none of the said amer- ciaments shall be assessed, but by the oath of honest and lawfull men of the same vi- cinage. Mag. Char. 9. H. 3. 14. West. 1. 3. E. 1. 6.

2 Barons and Barons shall not be amerced but by their Peeres. And a spiritual person shall not be amerced, according to his Ecclesiasticall living, but by his lay fee: And those amerciaments shall be but according to the quantitie of their sen- rall offences. Mag. Chart. 9. H. 3. 14. Amerciament of Barons & spiritual persons.

3 Nothing shall be given for a writ of Inquisition, nor taken of him that pay- eth Inquisition of life, or of member. Mag. Char. 9. H. 3. 26.

4 No Escheator, Commissioner, or Justice specially assigned to take Assises, or to heare and determine causes, shall have authority to amerce for default of common Summons, but the chiefe Justices, & the Justices in Eyre in their circuits. Marlb. 52. H. 3. 18.

1 Causes to amerce Towneships. Marlb. 52. H. 3. 24.

Apparance.

If any Philozer, Crigenter, or any other Officer of the K. Bench or Common place, do make any entrie in any suit, that the plaintife in the same suit hath offer- red himselfe in his owne proper person, except the plaintife in the same (before such entrie be made) doe appeare in his owne proper persons before some of the Justices of the place where the plea is depending, and there be swoyne upon a booke that he is the same person, in whose name the said suit is sued, or that some other credible person of the Kings Counsell will take such othe for him, the said Philozer &c. shall forfeit xl. shillings to the King, every time that he shall be attainted, by examination of any of the Justices of the same place, where any such entrie or recozd is. 10. H. 6. 4. 18. H. 8. 9. Entrie that plaintife offer- red himselfe in proper person.

Appeales and Prouocations.

If such cases where heretofore any of the K. Subjects or resiants have vsed to pur- sue, pzoouoke, or pzoouoke any appeale to the See of Rome, and in all other cases of Appeales, in or for any causes Testamentarie, causes of Patrimony, and Divo- ces, rights of Tithes, Oblations, and Obventions, they may and shall take, haue, and vse their appeales within this Realme, and not elsewhere, in maner & forme en- suing, and not otherwise, That is to say, first from the Archdeacon, or his Official, if the matter or cause be there begun, to the Bishop Diocesan of the said See, if in case any of the parties be grieved. 24. H. 8. 12. 1. Eliz. 1. Appeals fro the archdeacon or his official.

2 And if it be commenced before the Bishop Diocesan, or his Commissary, fro the Bishop Diocesan, or his Commissary, within 10. daies next ensuing the iudge- ment or sentence thereof there giuen, to the Archbishoppe of the Prouince of Can- terburie, if it be within his Prouince. And if it be within the Prouince of York, then to the Archbishop of York, and so likewise to all other Archbishops in other the K. Dominions, as the case by order of Justice shall require, and there to be definiti- nely and finally decreed and adiudged, according to Justice, without any other Appellation, or Prouocation to any other person or persons, Court or Courts. 24. H. 8. 12. 1. Eliz. 1. Appeals from the Bishop or his Commis- sary.

3 And if the matter or contention, or any of the causes aforesaid, be or shall bee commenced, by any of the K. Subjects or resiants, before the Archdeacon of any Arch- bishop or his Commissary, then the parties grieved shall or may take his appeale within Appeals from the Archdea- con of an Arch- bishop.

Appeales & Promocations.

within x. daies next after sentence there given to the Court of the Archbis. or audience of the same Archbis. and from the said Court of the Archbis. or audience, within x. daies then next ensuing, after Judgement or sentence there given to the Archbis. of the same Province, there to bee definitively and finally determined, without any other p[ro]cesse or appeal thereupon to be had or sued. 24. H. 8. 12. 1. El. 1.

Causen commenced before an Archbis.

4. Every matter, cause, or contention that shalbe commenced by any of the subjects or residents, for any of the causes aforesaid, before any of the said Archbishops, shall be before the same Archbis. where the said matter, cause, or p[ro]cesse shall be so commenced, definitively determined, decreed, or adu[er]ged, without any other appeale, p[ro]mocation, or fo[r]eigne p[ro]cesse out of this Realme, to be sued, to the let or derogation of the said Judgement &c. otherwise then is by this Act limited and appointed. Saving alwaies the prerogative of the Archbis. and Church of Cant[er]burie in all the forsaide cases of appeales to him and to his successors, to be sued within this Realme, in such wise as they have been accustomed to have heretofore. 24. H. 8. 12. 1. Eliz. 1.

The prerogative of the Archbis. of Cant[er]burie.

Appeales fro[m] the Archbishops Court into the Chancery.

5. For lack of Just. at or in any the Courts of the Archbishops of this Realme, or in any the B. dominions, it shalbe lawful to the parties grieved, to appeale to the B. Palesie in his Court of Chancery, and upon every such appeale, a Commission shalbe directed under the great Seale to such persons as shal be named by the B. highnes, his heires or successors (like as in case of appeal from the Admirals Court) to heare and definitively determine such appeales, and the causes concerning the same, which Commissioners so to be named or appointed, shall have full power to heare and definitively determine every such appeale, with the causes and all circumstances concerning the same. And such Judgement and sentence as the said Commissioners shall make and decree in and upon any such appeal, shalbe good and effectual and also definitive, and no further appeales shalbe had or made from the said Commissioners for the same. An. 25. H. 8. 19. 1. El. 1.

Appeales of causes touching the King.

6. And in case any cause, matter, or contention, for the causes before rehearsed, or any of them shall come in contention for any of the same causes in any of the aforesaid Courts, which hath, doth, shal, or may touch the king, his heires or successors, B. or Du. of this Realme, then the partie grieved shal or may appeale from any of the said Courts of this Realme, where the same matter shall happen to ventilate, be comenced or begun, to the spiritual Prelats of the upper house assembled by the kings writ in the convocation being, or next ensuing within the Province or Provinces, where the same matter of contention shall be begun, so that every such appeale be taken by the partie grieved, within x. daies next after the Judgement or sentence thereupon so given. And whatsoever shall be done, affirmed, determined, decreed and adu[er]ged by the forsaide Prelats of the upper house of the said convocation, concerning or belonging to the king, his heires or successors in any of the aforesaid causes of appeales, shal stand and be taken for a final sentence, Judgement, and determination, and the same matter so determined neuer after shall come in question and debate to be examined in any Court. 24. H. 8. 12. 1. El. 1.

Punishment of the offender.

7. If it shall happen any person to pursue or p[ro]voke any appeal contrary to the effect of this Act, or refuse to obey, execute and observe all things comprised within the same, concerning the said appeales, p[ro]mocations, and other fo[r]eigne p[ro]cesse to be sued out of this Realme, for any the causes aforesaid, then he, his p[ro]curors, Attorneys, Advocats, Counsellors, and Abbots, and every of them shall incurre into the penalties ordained in the Stat. of Praemunire, made 16. R. 2. and with like p[ro]cesse to be made against the said offenders, as in the same Stat. appeareth. 24. H. 8. 12. 25. H. 8. 19. 1. Eliz. 1. S. 25. H. 8. 19. that if any person p[ro]voke or sue any manner of appeales, of what nature or condition soever they be, to the Bishop or Sea of Rome, or do p[ro]cure or execute any p[ro]cesse from the Sea of Rome, or by authority thereof,

S. Praemunire.

Appeales to Rome.

thereof, to the derogation of let of the due execution of the foresaid Statute, then he, his Councellores, &c. shall incur into the penalties & daynes in the Statute of Praemunire, made 16. R. 2. But by the Stat. of 13. Eliz. 2. the getting of any Bull, writing, or instrument whatsoever from Rome, containing any matter of cause whatsoever, is high Treason. S. Rome 2.

8 Cuerie such iudgement and sentence definitive, as shall be giuen or pronounced in any civile and marine cause, vpon appeale lawfully to be made therein, to the Queene in her Court of Chauncerie, by such Commissioners or Delegates as shall be appointed by her Maestie, her heires, or successours by commission vnder the hals Seale, as it hath bene used in such cases, shall be final, and no further appeale shall be had or made from the said Iudgement or sentence definitive, or from the said Commissioners or Delegates, for, or in the same, 8. Eliz. 5.

1 That euerie Ecclesiasticall Iudge shall award costes to the other partie vpon appeale made in any sute for subtraction of Tythes or Offerings. S. Tythes 21.

Appeales in
civile or ma-
rine causes:

Appeales of Felonie.

All Appeales of things committed within this Realme, shall be tryed and determined by the Lawes of the Realme: and of things committed out of the Realme, before the Constable and Marshall of England. And no Appeale shall be pursued in the Parliament. 1. H. 4. 14. But all Treasons and misprision of Treason committed out of this Realme, shall be tried in the Kings Bench, or in such countie of this Realme, as the King by Commission shall assigne. 16. H. 3. 13. 35. H. 8. 2. 5. E. 6. 11. S. Treason 10.

2 If the Appellant in Appeale do declare the deede, the yeare, the day, the houre, the time of the King, and the towne where the deede was done, and with what weapon he was slaine, the Appeale shall stand in effect: And the Appeale shall not be abated for default of fresh sute, where a man doth sue within the yeare and the day after the deede. Glo. 6. Ed. 1. 9.

3 No person shall be outlawed vpon appeale of commandement, force, aid, or reuel, untill the principall be attainted. But the Appello shall not let to attach his appeale in the next Countie, as well against the Accessoie, as against the principall. But the Exigent against the accesoie shall stay, untill the principall be attainted by Outlawrie, or otherwise. West. 1. 3. Edw. 1. 14. And if any be appealed of an act done as principall, they that be appealed as accesoies shall be attached, & surely kept untill the principall be attainted. Officium Coronatoris 3. Ed. 1.

4 None shall be taken or imprisoned by the appeale of any woman for the death of any other then her husband. Mag. Char. 9. H. 3. 34.

5 When any appealed of Felonie doth acquit himself in the Kings court in due manner, at the suit of the Appellant, or the King, the Justices before whom the appeale shall be heard & determined, shall promise the appellant by a poves imprisonment, and neuertheless such appellant shall yeeld to the appelle damages by the Justices discretion, having respect to the imprisonment, or arrest, that the partie hath sustained by reason of such appeale, and to the slander which he hath received, and also he shall pay a grievous amercement to the R. And if the appello be not sufficient to answer damages, enquire shall be made, by whose abbetment the appeale was maliciously commenced, if the Appelle desire it. And if it be found by the same Inquest, that any man is abettor through malice, he shall be distrained by a judicial writ, at the Appelles sute, to appeare before the Justices, and if he be lawfully convicted of such abbetment by malice, he shall be imprisoned, and relesse damages, as is aforesaid of the appellant. W. 2. 13. E. 1. 10. And any person indicted or appealed of Felonie or Treason in a foraine Countie, shall in an action vpon the case, recover treble

In what places
appales
shalbe pur-
sued.

Appeale of
Murder.

Exigent in
appeal against
the principall
and accesoie.

Appeale of a
woman.

The appelles
being acquit-
ted the appel-
lant and ab-
bettois shall
be punished.

Securers of
appeales in a
foraine coun-
tie.

Approvers. Approuements.

ble damages against enerie pꝛocurer of such inditment oꝝ appeale, after he is duly acquitted by verdict: and like pꝛoces shall be in the same, as in an action of Tres. vi & armis 8. H.6. 10. S. Coroners 7.8.

1 Within what time and before whom an appeale of Murder shal be commenced. S. Murder 4.

2 How the defendant in appeale of Maime shall be vsed. S. Coroners 8.

3 That appeale of Murder may be commenced in one Countie of the death of any other person stricken or poisoned in another Countie. S. Triall 1.

4 In what case appeal of Murder may be commenced against a man arraigned at the Kings suit. S. Murder 3.

5 Appeale against any person dwelling in a foreine Countie. S. Indictments 3: Triall 1.

Approvers.

Appeales by Approvers.

Whoſoever shall be appealed by any approvers remaining in the gaoles, which the Just. of Gaole delinerie shall deliner, in what place soener of the Realme the persons appealed shall remaine, immediately the Shyrife of that Countie where such persons appealed be conuerſant, oꝝ may be found, shall be com mande by the Kings Writs under the testimonie of the same Justices, that hee shall take those persons appealed, and conuey them to the Gaole, where the approvers, by whose appeale they be appꝛehended, be imprisoned, and the Shyrife oꝝ Gaoler of that prison shall receive them, and there they shall answer befoze the same Justices. And if they put themselves vpon the Countrie, the Just. shall send by a Iudiciall Writ to the Shyrife of the Countie where the felonie was committed, that he shall returne an Enquest befoze them at the place where the approvers do remaine. Scac. de Appellatis 28. Ed. 1.

1 It is felonie for a Gaoler to cause a prisoner to become an Approver. S. Prisoners 2. Felonie 17.

Approuements.

Lords may approue against their tenants.

The Lords of Wastes, Woods, and Pastures (which have enſcoffed their Freeholders of small Tenements within their great manors) may approue of the same Wastes, Woods, & Pastures, notwithstanding the contradiction of their Tenants, so that the same tenants may haue sufficient pasture vnto their tenements with free ingresse and regresse to the same. Merton 20. H. 3. 4.

Lords may approue against their neighbours.

2 The foresaid Statute pꝛouided betwixt the Lord and his Tenants, shall take place betwixt the Lords of Wastes, Woods, and Pastures, and their neighbours, so that the Lords leauing sufficient pasture to their men and neighbours, may approue the residue. And this shall be obserued of them which claime pasture pertaining to their freehold. But if a man claime common of pasture by a speciall seoffment oꝝ grant for a certaine number of cattel, oꝝ by any other meanes, then by common right (seeing covenant doth abrogate law) he shall recouer his owne according to the grant. Vest. 2. 13. Ed. 1. 46.

Common in grosse.

Approuement leauing sufficient common and passage.

3 And if such tenants oꝝ neighbours doe bring an Assise of common of pasture, if it be found befoze the Justices that they haue as much pasture as is sufficient for their tenements, and that they haue sufficient ingresse, and regresse from their tenements vnto their said pasture, they shall hold themselves contented, & their Lords of whom they complained, shall be quiet, and make their commoditie of the residue. But if it be found, that their ingresse and regresse were any thing hindered by the deforcours, oꝝ that they had not sufficient pasture, then they shall recouer their selfe

loisin by view of the Jurozs, so that by their discretion, and oath, they shall have sufficient pasture, ingresse and regresse, and the disseisors shall be amerced, and tender damages. 20. H. 3. 4. 13. Ed. 1. 46.

4 By occasion of a Windmill, Sheep-house, Dairie, augmentation of a meadow, or Court of Curtilage, no man shall be grieved by assise of common of pasture. West. 2. 13. Ed. 1. 46.

5 All such person and persons which shall bring Assise upon any breach of article of any of the foresaid Statutes, and have iudgement to recover, shall have his or their damages trebled by the iudgement of the Court, where such Assise and iudgement shall be had. 3. Ed. 6. 3.

Treble damages.

6 If a ditch or hedge (made by any person that hath authoritie to approue) be in the night or otherwise pryncilly throwne downe, and it cannot be knowne by the verdict of the Assise or Jurie who did it, nor the inhabitants of the next townes will accuse them that be guilty, the townes next thereabout adioyning shall be distrained to lenie the hedge or ditch at their owne charges, and also to tender damages. West. 2. 13. Ed. 6. 46.

Ditch or hedge of ground approued, throwne downe.

7 The foresaid two Statutes made 20. H. 3. & 13. E. 1. nor any thing therein of them contained, shall extend to any houses with ground builded upon, or commons or wast grounds (before 4. Nouemb. Ann. 1349.) with ground under the quantitie of thre acres, and not aboue, inclosed to and with the same: As to any Dwell, Orchard or Bond, inclosed before the said day, out of, or in such wastes or ground, which exceed not the quantitie of two acres, nor shall cause any person to lose any penaltie for the same. But if any such house hath bene before the said day builded upon any such wast ground, & that there be aboue thre acres inclosed to the same, then the said house and thre acres, parcell of the same inclosure, shall still continue, and the ouerplus of the said thre acres shall and may be laid open by the owner of the same wastes. 3. Ed. 6. 3.

Houses with grounds under thre acres

Gardens.
Orchards.
Bonds.

8 The Lord or Lords, as well bodies politike or corporat, as any other person or persons whatsoeuer, of all and euerie the wastes, commons, marishes, and ferme grounds subiect to surrounding, within the Isle of Ely, and the Counties of Cambridge, Huntington, Northampton, Lincolne, Northfolke, Suffolke, Suffex, Essex, Kent, and the Countie Palantine of Duresme, and the most of the Commoners for their particular Commons, and likewise the owners, and such as haue or shall haue interest in any seuerall surrounded grounds, lying within or heere the same, may contract, or bargaine for part of such Commons, Wastes, and Seuerals also: said, with such person and persons which will undertake the draining and keeping drie perpetually, the Seuerals, Wastes, or Commons of that qualitie. Which contract, and bargaine, and conueyances thereupon made, shall be good and available in law, to all constructions and purposes, against the said Lord of the said soile and owners of Seuerall, and their heires, successors, and Assignees, and all the Commoners, & such as shall or might haue Common or interest there afterwards, according to the contracts, covenants, provisions, and agreements in those conueyances to be specified, and for so much of such Commons, Wastes, or Seuerals, as shall be so contracted or conueyed: To hold and enioy in feueralltie to such person and persons, his or their assignee or assignees, as shall or haue undertaken the same, in such manner and forme as his or their estates and interests are or shall be, by or upon such contracts or agreements, by such conueyances limited or appointed. 43. Ed. 11.

Undertaking for the draining of marsh grounds.

9 Provided notwithstanding, That in all cases where the Queene, her heires, or successors, is or shall be Lord or owner of the freehold of the soile of such Wastes or Commons, or any part of the same, That the most part of the Commoners, in such her Highnesse soyle, shall or may contract, bargaine, assigne, and set forth, as is also.

The Queens consent where he is Lord of the soile,

Approuements.

aforsaid, part of their Common therein, to any person or persons which will undertake the buying of that whole Common, accordingly as the Lords & the most part of the Commoners in the surrounded Wastes or Commons aforsaid of bodies politike or corporat may do, as is before declared: which shall bind, and be good and available against all the Commoners, their heires, executors, or assignees, and all others that shall hereafter by reason of any their resistance, claime any common of pasture in the said Wastes or common grounds, whereof the soile both or shall pertaine to her Maiestie, of, and for all their interest or claime of common therein, To hold according to the true intent and effect of such contract, bargain, assignement, and conveyance by writing indented, sealed and deliuered by the most part of such Commoners, as shall be made betweene such Commoners and undertakers: but shall not be in any sort of effect or validitie against the Queene, her heires, successors, or assignees, or their estate or estates, in, or to the soyle thereof, except such conveyances be by writing indented in parchment, and one part thereof vnder the hands and seales of most part of the Commoners so contracting the same, certified into the Court of Chauncery, if the Wastes or soiles shalbe of the possessions of the M. Crowne of England, And except her Maiesties roiall assent be obtained thereunto, and signified by and vnder her priuite Seale or great Seale, and inrolled in the said Court of Chancerie. And after such assent so had, signified, and inrolled, then the same contracts and covenants shall be good and available, to all and every such undertakers, their heires and assignees, against the M. her heires and successors, according to the provisions, agreements, and covenants so assented vnto by the M. her heires and successors. And where they are of the possession of the Duchie of Lancaster, then the said contract, bargain, assignement, of, or from the M. shall not be of any effect or validitie against her Highnesse, her heires, successors, & assignees, except such contract and bargain touching the premises, & such assignement and setting forth of such part of the said undertakers to hold in feueraltie, be by writing indented in parchment, sealed and deliuered by the said Commoners, or the most part of them, and the said undertakers, and one part thereof certified vnder the hands and seales of most part of the said Commoners, into the Queenes Court of the Duchie of Lancaster for the time being: And the Queenes Roiall assent vnder the Seale of the said Duchie obtained thereunto, and there enrolled in that Court. Which consent roiall being obtained for the soile of such Waste, being of the possessions of the Crowne, and vnder the Seale of the said Duchie, of her Highnesse soyle of such Wastes as are of those possessions, the said undertakers, and their heires & assignes, shall and may enjoy in feueraltie the soyle of so much Waste and Common as was so contracted for, assigned, and set forth by the most part of her Highnesse Commoners, in such sort and qualitie as the said undertakers shall hold and enjoy the interest of Common, to all intents and purposes. 43. Eliz. 11.

The residue
of the waste
not assigned.
All Liberties
referred.

IO This Act shall not extend to the impairing, diminishing, letting, or extinguis-
hing of the interest of the Commoners, or any of them, or of the Lords or owners
of the soyle, of, in, or to any part of the residue of the Wastes or Commons, which is
not or shal not be so set forth or assigned to the undertakers, nor to any Franchises,
or Liberties, or Waife, Stray, Let, Law day, nor other Liberties to be used or ta-
ken, in the part so to the said undertakers assigned. But as well the Commoners,
and Lords & owners of that soile, shall and may enjoy their Commons in the re-
sidue thereof. And the M. her heires & successors, & the Lords and owners shal & may
haue & enjoy such Liberties, and Franchises in such their part, as heretofore was
lawfully used, and as they or any of them should or might haue done, if this Act, or
such contract, bargain, and assignement had neuer beene. Any thing in this Stat.
etc. notwithstanding. 43. Eliz. 11.

11 This Act shall not extend either to any bargain, sale, agreement, grant, conveyance, or assurance, or to the inming, or dayning, or laying dote of any Commons, parishes, surrounded grounds, whereby, or by meanes whereof, any of the Havens or Ports of this Realme of England, may be in any sort annoyed, impaired, or hindered: nor to any grounds within eight miles of Portsmouth, or six miles of Linne, within the Countie of Dorset. 43. Eliz. 11.

1 For Approuement of the drowned marshes of Lesnes and Fants in the Countie of Kent: and of certaine Fennes and low grounds in the Isle of Ely. S. 4. Iacobus 8. 13.

Havens shall not be impared.

Archerie.

1 Every man being the Kings subject, not lame, decrepit, maimed, nor having any other lawful or reasonable cause or impediment, being within the age of ix. yerres (except Spiritual men, Just. of the one Bench & of the other, Justices of Assise, and Barons of the Exchequer) shall exercise shooting in long bowes, and also have a bow and arrowes continually in his house, to vse, and doe vse himselfe in shooting, and every father, ruler, and gouernor, shall bring vp those which be in his house of tender age in knowledge of shooting. 33. H. 8. 9.

Most men within ix. yerres of age shall shoot.

2 If any man suffer any man childe, being his sonne or manservant, taking wages, betwixt the age of seven yerres and seventene, to remaine in his house, without a Bow and two Arrowes, by the space of one moneth together, then the Master or Father shall forfeit for every default vij. s. viij. d. If the said servant take wages, the Master may buy the said bow and arrowes, and abate him of his wages. 33. H. 8. 9.

When children betwixt viij. yerres & xvij.

3 If any servant taking wages, and able to shoot, being betwixt the age of seventene yerres and threescore, lacke a Bow and foure Arrowes by the space of one moneth together, hee shall forfeit for every such default vij. s. viij. d. 33. H. 8. 9.

When betwixt xvij. and lx. yerres of age

4 If any under the age of xxiiij. yerres shall shoot at any standing pycke, except it be at a rouer, whereas he shall change his marks at every shoot, he shall forfeit for every shoot doing the contrary, iij. s. 33. H. 8. 9.

Shooting at Rouers.

5 If any aboue the age of xxiiij. yerres doe shoot at any marke of xi. score yards, or under, with any prickshaft, or flight, he shall forfeit for every shoot vij. s. viij. d. 33. H. 8. 9.

Shooting with rouing shafts.

6 No Stranger bozne out of the Kings obeyssance, not being denizen, shall conuey or doe to be conueyed, give, sell, or exchange into any parts out of the Kings obeyssance, any long Bowes, Arrowes, or shafts, without the Kings speciall licence, upon paine of forfeiture of the same, wheresoever they shall be taken, or the value thereof within the Kings power, and upon paine of imprisonment, without baile or mainprize, until such time as he being in ward, hath made a reasonable fine to the King for his offence before the Just. of Peace, or two of them, in their Sessions in the same countie where he shall be committed to ward, or find sufficient suretie for the payment of the same fine. 33. H. 8. 9.

Aliens shall not conuey bowes or shafts beyond the Seas.

7 No person not being bozne within the Kings obeyssance, not made Denizen, shall vse within the Kings obeyssance shooting with long Bowes, without the Kings licence, upon paine of forfeiture of such Bowes, Arrowes, and shafts, as they shall be found so shooting with. And every of the Kings subjects may have authority to take and seise the same forfeitures to his owne vse. 33. H. 8. 9. S. A.

No Alien shall vse shooting.

8 No Bowyer, Fletcher, Stringer, or Arrow-head maker, repairing to the Citie or Suburbes of London, & there making his dwelling & abiding, being not a freeman

Armour.

Wofpers & Fletchers of London being commanded shall dwell elsewhere.

freeman of the said Citie, neither bearing scot nor lot within the same Citie, shall refuse to depart from the said Citie, Suburbs, Streets, lanes, & places neere the same, to go & inhabit such other Citie, borough, or towne of the Realme of England as is destitute of such Artificers, and there to exercise his craft and faculty, for the maintenance of Artillerie, whensoever warning shalbe to him given by the R. honourable Councell, the L. Chancellor of England, the L. Treasurer, L. privie Seale, or one of them, then he so refusing shall forfeit for everie day that he shall make his abode contrarie, xl. s. 33. H. 8. 9. S. Just. of Peace. 63.

1 Who shall haue the forf. given by this Statute, and within what time the suit must be commenced, and before whom. S. Playes 7. Actions popular 11.

Armour.

No man shall come armed before the Justices, nor goe or ride armed.

NO man shall come before the Kings Justices, or other Officers, in doing their Offices, with force and armes, nor shall bring any force in affray of the peace, nor shall go or ride armed by day or by night, nor weare Sallet, Scull of yron or other armour, vpon paine to forfeit to the king his armour, & his body to be imprisoned at the kings pleasure, except the kings servants in his presence, and his Officers, in doing his Decrees, or their Offices, or such as be in their companie assisting them, or vpon a cry made of Armes, to keepe the Peace in such places where such things happen. And the Kings Justices in their Decretes, Sherifes, and other officers of the King, within their Bailiwikes, Lords of Franchises, and their Bailifes thereof, and Maiors and Baylifes of Cities and Boroughes, within the same Cities and Boroughes, Borough-holders, Constables, and Wardens of the Peace, within their Wardes, haue power to put this Stat. of 2. Ed. 3. in execution. And the Justices assigned, at their coming into the countrey, haue power to enquire how such Officers and Lords haue vsed their Offices in this case, and to punish those which they find haue not done that which belongeth to their Offices. 2. Ed. 3. 3. Nor. 7. R. 2. 13. 20. R. 2. 1.

No servant shall weare any sword, dagger, &c.

2 No servant in husbandrie, or labourer, nor servant of Artificer, or Victualler, shall beare any Buckler, Dagger, or Sword, vpon paine of forfeiting the same (except it be for the defence of the Realme in the time of war, and then by the surrey of Arrayors for the time being, or in traueling with their masters, or on their masters businesse.) And Sherifes, Maiors, Bailifes, and Constables shall haue power to arrest, and shal arrest al offendours against this Stat. & seise the said bucklers, swords, and daggers, and keepe them till the Sessions of the J. of the Peace, and the same shall present before the same J. in their Sessions, together with the names of them that did beare the same. But this shal not be prejudiciall to the franchises of Lords, touching forfeitures due to them. 12. R. 2. 6.

Imbeiselling the Qu. or Ordnance, armour, victuall, &c.

3 If any person or persons hauing at any time here after the charge or custodie of any armour, ordnance, munition, shot, powder, or habiliments of warre of the Qu. Maestie, her heires, or successours, or of any victuals provided for the victualing of any souldiers, gunners, mariners, or pioners, shall for any lucre or gaine, or wittingly, aduisedly, & of purpose to hinder or impeach her Maesties seruice, imbeisell, purloine, or conuey away any the same armour, ordnance, munition, shot or powder, habiliments of warre, or victuals, to the value of xx. s. at one or severall times, then every such offence shalbe iudged felony, & the offendour & offendours therein to be tried, proceeded on, & suffer as in case of felony. But none shalbe impeached for any offence against this Stat. unless the same impeachment be prosecuted or begun within the yere next after the offence done. And this Act, nor any attainder, or attainders of any person or persons, for any offence made felony by this act, shall in any wise extend or to be interpreted to make the offendour or offendours to forfeit any lands,

within the yere impeached.

lands, tenements, or hereditaments, any longer then only during his or their life or lives, or to make any corruption of blood, to any the heire or heires of any such offendor or offendors, or to make the wife of any such offendor to lose or forfeit her dower or title of dower, or, in any lands, tenements, or hereditaments, or her action or interest to the same, any thing in this Act, &c. notwithstanding. And such person or persons as shall be impeached for any offence made felonie by this Stat. shall by vertue of this Act be received & admitted to make any lawful proove that he can, by lawful witness, or other wise, for his discharge & defence in that behalfe: any law &c. notwithstanding. 31. Eliz. 4.

No losse of lands, nor corruption of blood.

1 The remedie for the owner, where a Souldier doth make away his horse or armour. S. Captaines 1.2.

2 None in Wales shall come armed to any Sessions, Church, Faire, Market, &c. S. Wales 103.

3 Recusants Armour shall be taken from them. S. Recusants 74.

Arrow-heads.

Every Arrow head and Quarrell shall be marked with the marke of him that made the same. And if any that doe make them, doe not wel boyle or hase & harden them at the point with Steele, he shall forfeit the same to the King, and shall be imprisoned, and make fine at the Kings pleasure. 7. H. 4. 7. S. Corporations 10. Iustices of Peace 55.

Arrow heads marked, hased, boyled.

Arrests.

If any of the Kings Officers, or other person, doe arrest any Priest, Clerke, or other, which is doing any divine Service, in the Church, Churchyard, or other place dedicated to God, he shall be imprisoned and punished at the Kings pleasure, and further shall recompence the partie arrested. But no people of the Church shall keepe them within the Church, or Sanctuarie, by fraud or collusion. 50. Edw. 3. 5. 1. R. 2. 15. See Preacher 1.

Arresting priests doing divine service.

2 If any men of great power, or their Bailiffs, or any other (except the Kings Officers, unto whom speciall authoritie is thereunto given) either upon the plaint of others, or upon their owne authoritie, doe attach other passing with their goods through the place where they haue authoritie, to answers befoze them of contracts covenants, or trespasses committed without their power and iurisdiction, whereas they hold nothing of them, nor within the Franchise where their authoritie is, he which offendeth shall answer to the partie grieved his double damages, & shall pay a grievous amerciamment to the king. West. 1. 3. Ed. 1. 34.

Arresting knights & others by those which hold not of them.

1 Where the plaintife shall pay costs and dammages for unlawful arrests. S. Damages 1.2.

2 Where and by whom Nightwalkers shall be arrested. S. Watch 1.

3 All shall be ready to arrest felons, and other great offendors. S. Felonie 40. 41.

Artificers.

If any Butchers, Bakers, Brewers, Boulsters, Cooks, Costermongers, or Fruiterers, shall conspire, covenant, promise, or take any othes, that they shall not sell their victuals but at certaine pices: Or if any Artificers, Workmen, or Labozers, do conspire, covenant, promise together, or make any othes, that they shall not doe their works but at a certaine pice or rate, or shall not take upon them to finish that

Artificers conspire for the selling of their works. Labozers conspire for the order of their works.

Z ij

which

Assise.

which another hath begun, or shall do but certaine woꝝke in a day, or shall not woꝝke but at certaine houres & times: Then euery of them so offending, being lawfully convicted thereof by witnesse, confession, or otherwise, shall forfeit for the first offence x. l. to the King, and if he do not pay the same within six daies after conviction, he shall be imprisoned xx. daies, and haue onely bread and water for his sustenance. And for the second offence shall forfeit xx. l. or ec. suffer the punishment of the pillorie. And for the third offence &c. shall forfeit xl. l. or ec. to sit on the pillorie, lose one of his eares, and to be taken infamous, and neuer to be credited in matter of iudgement. 2. Ed. 6. 15.

Conspiracie made by a Companie of Victualers.

2 And if any such conspiracie, covenant, or promise, be made by any Companie of any Mysterie of the Victualers aforesaid, with the consent of the moze part of them, then besides the particular punishment appointed for the offender, the corporation shall be dissolved to all intents. 2. Edw. 6. 15. S. Iust. of Peace 56. Corporations 7.

1 For the retaining, departing, working, wages, and order of Artificers, S. Labourers in all, and Iustices of Peace 66. 67. 68.

2 What Artificers shall not be interpreted handicrafts men, S. Aliens 12.

Assise.

Assise of Customs, wood, cordage, toll, tonnage, passage, pawnage.

Assise of offices, Assise of common of Turbary, fishing.

A Man shall haue an Assise of Customs, of wood, & of profit to be taken in woods, nuts, acornes, & other fruit to be gathered, of a Cordage, of delinering coine and other victuals and necessaries, to be receiued yerely in a place certaine, of Toll, Tonnage, Passage, Pontage, Pawnage, and such like things to be taken in places certaine. And an Assise doth lie of the keeping of Woods, Forests, Parks, Chases, Warrens, Gates, and other Bailiwikes, & offices in fee, & in all the foresaid cases the writt shall be De libero tenemento. And as the Assise doth lye of Common of pasture, so doth it of common of Turbarie, fishing, and such like, which a man hath belonging to his freehold, or without his freehold by special deed, at the least for terme of life. And also it lyeth against him which pastureth another mans senerall. West. 2. 13. Ed. 1. 25.

Assise against gardein or tenant for yerres and their assignes.

2 If tenant for terme of yerres, or gardein of any tenement, doth alien the same in fee, whereby the freehold is transferred vnto the feoffee, the remedie is by Assise, and the alienor shall be adiudged a disseisor, and so shall the feoffee, so that during the life of either of them the same writt shall lie. And if by the death of the foresaid persons, the said remedie doth faile, then there shall be redressse by a writt of Entry. West. 2. 13. Ed. 1. 25. And the heire shall haue his reconerie immediatly by Assise against the gardein and tenant. And the gardein shall lose during his life the custodie of the same thing recovered, & of all the residue of the inheritance which he holdeth of the same heires. West. 1. 3. Ed. 1. 47. S. Wards 8.

Assise by tenant by Elegit, Statute Recognisance.

3 If tenant by Elegit be put out of the tenement, which he hath in execution, hee shall haue an Assise. 13. Ed. 1. 18. And so shall tenant by Statute marchant, if he be put out. 13. Ed. 1. Mercat. And in like sort shall tenant by Stat. Staple, if he be put out. 27. E. 3. 9. And also tenant by recognisance in the nature of a Stat. Staple, his executors, administrators, & assignes, shall haue an Assise, if he, they, or any of them be disseised, or put out of the lands in execution. 23. H. 8. 6. An Assise may be maintained by any person disseised, which hath estate of inheritance, freehold, &c. in, or to any Parsonage, Vicarage, Portion, Pension, Tithes, Oblations, or other Ecclesiasticall profit, made or to be made Temporal for the recovery of the same. 32. H. 8. 7. And the Parson of a Church may recover common of Pasture by Assise. 13. Ed. 1. 24. S. Execution 1. &c. Statutes 1. 12. Tithes 24.

Assise by a Parson.

4 If any Escheator, Sherife, or other of the Kings Bailifes, shall by colour of

of his Office (without speciall warrant, commaundement, or certaine authoritie, which belongeth to his Office) disseise any man of his freehold, or of any thing which belongeth to his freehold, either the disseisee at his choise shall haue an A/ise ec. and recouer double dammages, and the defendant shall bee amerced, or else the King vpon the disseisoys complaint shall redresse the matter. Westmst. 1. 3.Ed.1.24.

A/ise against an Officer of the Kings.

5 Where lands be granted by the Kings Patent, without any title found by Inquest, or else where the Kings Cntrie is not given by the Law, they which bee put out, or disseised of their freehold, shall haue an especial A/ise of the Lord Chancelloys grant, without sute to their King: And if the parties to whom the Patents be granted, doe pray in aid of the King, the Chanceloz shall grant a writ of Proceendo, without farther sute to the King. And if they which be put out, or the disseises doe recouer against such Patentees, they shall recouer their treble damages. 1.H.4.8.

A/ise against the Kings Patenters.

6 If any man in his owne right, to his owne vse, or in another mans right to his vse, doth make any forcible entry into another mans lands by way of maintenance, or doth take, or carrie away any goods of the possessors of the freehold after any such forcible Cntrie, then if the party grieved, or other lawful man wil affirme, that the Cntrie was made in such forcible manner, the Chanceloz may grant to the partie grieved a speciall A/ise, and if the disseisor be attainted of such forcible disseisin, he shall be one yere imprisoned, and pay to the partie grieved his double damages, and also damages for his goods. And one of the Ju. of the one Bench or other, or the chiefe Baron of the Exchequer (if he be learned in the law) shall be named in euery such speciall A/ise: And no Superedeas shall be granted to the contrarie of such A/ise. 4.H.4.8. S. Force &c. 3. & 6.

A speciall A/ise against a disseisor with force.

7 A/ise of rent issuing forth of tenements in several Counties, shall be holden in the border of the same counties, and the A/ise shall be tried by the people of the same counties, in such maner as hath bin vsed of common of pasture being in one Countie, and appendant to tenements in another Countie. 7.R.2.10.

A/ise of rent going forth of lands in several Counties.

8 The panels of speciall A/ises shall be arrayed, and a copy indented therof deliuered by the Sherife to the plaintifes, tenants or defendants, by the space of six daies at the least befoze the Session of the Iustices, if they will demand it. And the Bailifes of Franchises shall make their returnes to the Sherifes of all such special A/ises six daies befoze, vpon paine of forfeiture of xl. l. to the K. by the said Shhriife, or Bailife, for every default. 6.H.6.2.42.Ed.3.11.

Copies of panels shall be deliuered to the parties.

9 If in A/ise brought befoze Iustices assigned, the Shhriife be named a disseisor, to the intent that he shall not serue the writ, but to haue the same directed to the Coroners, the tenant may plead, that the Shhriife neither is, nor euer was disseisor nor tenant of the tenements in demaund, but was named by collusion, which being found by the A/ise, the Iustices shall abate the writ, and the plaintife shall be amerced. 11.H.6.2. And if the A/ise, or other writ of plea of land be brought against the Lord of ancient demesne, or against the Prioz, Bailifes, & Cominaltie of Franchises, of Lands within the same franchises, which be neither disseisoys nor tenants but therein named to take away their franchise: first the Iustices shall enquire by the A/ise, whether the Lord, Prioz, Bailifes, &c. be disseisoys or tenants (if they require it) or be named by collusion: And if it be found that they be neither disseisoys nor tenants, but named by Collusion, then the writ shall be abated, & the plaintife amerced, notwithstanding the other tenants or disseisoys bee named and found in such A/ises or writs. 9.H.4.5. And if A/ise or any personall action be sued in the Kings bench, Common place, or befoze any other the Kings Iustices, of any lands within any franchise or ancient demesne wherof the iurisdiction belongeth to the said Lords, Priozs, Bailifes, &c. if the defendant make default to put the said Lords,

The Shhriife named a disseisor in A/ise.

Lord of ancient demesne, Priozs, &c. named disseisoys.

Default made to put the Priozs, &c. from their iurisdiction.

Assise.

Lords, Priors, Bailiffs, &c. from their franchise, then the Justices at the request of the Lords, Priors, Bailiffs, &c. shall make inquisition by the Assise &c. or by Inquest &c. And if it be found that such defaults be made by collusion to exclude the Lords, Priors, &c. of their franchises, cognisance, or jurisdiction, the writ shall be abated, and the plaintiffes amerced: And the plaintiffes, Lords, Priors, Bailiffs, &c. shall have their challenges. 8.H.6.26.

**A disseisor by
failing of a re-
cord bouches.**

**Certificat of
Assise.**

10 If he which is named a disseisor, both personally alledge any false exception, whereby the taking of the Assise may be deferred, viz. that at another time assise of the said tenements passed betwixt the said parties, or that a writ of higher nature dependeth betwixt them of the same tenements, & both bouch any Rolls of Record to warranty, & at the day given he fails of his warrant, he shall be adjudged a disseisor without recognisance of the Assise, and shall restore double damages of that which is or after shall be found, and also for his faithhood shall be one yere imprisoned. But if the said exception be alledged by a Bailiff, the taking of the Assise shall not therefore be deferred, nor judgement upon the restitution of the land, and damages: yet if the Lord of the same Bailiffe which was absent, doe after come before the Just: which tooke the Assise, and both offer to prove by Record and Rolls, that Assise at nother time passed betwixt the same partie, of the same lands, or that the plaintiffe withdrew himselfe in a like suit, or that a ples dependeth betwixt them by a writ of higher nature, there shall be a writ awarded to bring the Record before the Justices: and when the Justices doe see that the Record would have prevailed before judgement, and that thereby the plaintiffe should have bene excluded of his action, at which day the defendant shall have againe his seisin and damages which he first payed, with the damages after the first judgement given doubled; and he which first recovered shall be imprisoned at the Justices discretion. The like remedie shall the defendant have against whom in his absence an Assise passed, which sheweth any deeds or releases, upon the making whereof the Jurie was not, nor could be examined, because there was no mention of them in pleading: for the Justices upon the sight of those writings shall award a Scire facias against the partie which recovered to appeare at a day, and also shall cause the Jurors of the same Assise to come. And if they find those writings true by verdict, or inrollment, he shall be punished in some alsoresaid, which purchased Assise contrarie to his own deed. West. 2.E.1.27.

**Attachment
in Assise.**

**In Writ of b.
& price.
When Assise
shall be taken.**

**Difficult
causes.**

11 The Sheriffe shall not take an Writ of him which is disseised, but of the disseisor onely: And if there be divers disseisors named in one writ, yet he shall take but one Writ, and he shall take an Writ but of the price of v. s. or else the price. Westm. 2. 13.Ed.1.26.

12 Assises of Nouel disseisin, Mordancester, & Darrein presentment, shall be taken in Advent, Septuagesima, and Lent, as well as Enquests may bee taken: and that at the speciall request of the King made to the Bishops. West. 1.3.E.1.48. Assises of Nouel disseisin, & Mordancester, shall be taken but in their Counties, and difficult causes shall be ended before the Just. of the bench. And Assises of Darrein shall be taken & determined before the J. of the Bench. Mag. Char. 9.H.3.12.13.

- 1 Where the plaintiffe in Assise may abridge his plaint. S. Abridg. 1.
- 2 The remedie where the disseisor or disseisee dieth immediately after the disseisin, or depending the suit. S. Age 1.
- 3 Where the tenant in Assise may make Attorney. S. Attorney 3.
- 4 The Jurors in Assise are not compellable to say precisely that it is a disseisin. S. Jurors 32.
- 5 For the pleading of Iointenancy in Assise. S. Iointenancie 1.
- 6 Where an Assise of common is maintainable. S. Approuements 3. Common 1.

Attaint

Attaint

Vpon enery vntreue verdict given betwixt partie & partie in any suit, plaint, or demand, befoze any Just. or Judges of record, where the thing in demand (and verdict thereupon given) extendeth to the value of xl. l. & concerneth not the leopar- die of mans life, the party grieved by the same verdict, shall have a writ of Attaint against enerie person so giving an vntreue verdict, & enerie of them, and against the partie which shall have a iudgement vpon the same verdict. And by the death of the partie, or any of the petit Jurie, the said Attaint shall not abate, nor be deferred against the remnant as long as two of the said petit Jurie be alive. And every one that shall passe in the same Attaint shall have lands and tenements to the value of xx. markes by yeere of freehold, out of ancient demesne. 23. H. 8. 3. S. 18. H. 6. 2.

Attaint where the thing extendeth to xl. l.

Attaint abated not by the death of the def. or any of the petit Jurie

what lands each Juror must dispend.

2 In the same Attaint there shall be awarded against the petit Jurie, the partie, and the grand Jurie, summons, resummons, & distresse infinit, which grand Jurie shall be of like number as the grand Jurie is now &c. and vpon the distresse, which shall be delivred of record vpon the same, open Proclamation shall be made in the Court where the distresse shall be awarded, moze then xv. daies befoze the returne of the same distresse, and enerie such distresse shall be made vpon the land of enerie of the said grand Jurie, as in other distresses is vled. And in all the foresaid Procces, such day shall be given as in a writ of Dowry, wherein no C. P. &c. 23. H. 8. 3.

Procces in Attaint. Proclamation

3 If the defendant or the petit Jurors, or any of them, appeare not vpon the distresse, then the grand Jurie shall be taken against them, & enerie of them that shall so make default. And if any of the said petit Jurie appeare, then the party complainant shall assigne the false Serement of the first verdict vntreuely given, wherunto they of the petit Jurie shall have no answer, if they be the same persons, & the writ, procces, returne, & assignment good & lawful (except that the demandant or plaintife in the same Attaint hath befoze bin nonsuit or discontinued his suit of Attaint taken for the same, or hath for the same verdict in a writ of Attaint had iudgement against the said petit Jurie) but only that they made true Serement, which issue shall be tried by xxij. of the said grand Jurie (for vtlarie in action, or cause, or excommen- gement pleaded in the plaintife or demandant, is a void plea, wherunto he shall not be put to answer.) And the partie shall plead that they gave true verdict, or any other matter, which shall be a sufficient barre of the said Attaint: And that plea notwithstanding, the grand Jurie shall be taken without delay to enquire whether the first Jurie gave true verdict or no. 23. H. 8. 3. Stat de Attinctis 13. E. 2.

The grand Jurie taken by default of the defendant or petit Jurie.

what pleas the petit Jurie may plead.

what plea the defendant in Attaint shall plead.

4 And if they find that the said petit Jurie gave an vntreue verdict, then every of the said petit Jurie shall forfeit xx. l. whereof one halfe shall be to the king, and the other halfe to him that sueth, to be levied by Capias ad satisfaciendum, Fieri facias, or Elegit, or by action of debt, against enerie person of the petit Jurie so forfeiting, and against his executors and administrators, having then sufficient goods of their said testator, not administered. And enerie of the said petit Jurie shall severally make fine by the discretion of the Justices befoze whom the said false Serement shall be found after their severall offences, defaults, and sufficiencie of enerie of them. And those of the petit Jurie so attainted, shall never be after in any credence, nor their oath accepted in any part. 23. H. 8. 3.

The punish- ment of the petit Jurie attainted.

5 If such plea as the partie pleadeth, which is a barre of the Attaint, be found or deemed against him, then the party that so sueth shall have iudgement to be restored to that he lost, with his reasonable costs and damages. 23. H. 8. 3. 11. H. 6. 4.

Iudgement for the plain- tiff.

6 If a false verdict be given in any action, suit, or demand, befoze any Just. &c. of record, of any thing personall as debt, trespass, & other like, which shall be vnder the value of xl. l. then the party grieved shall have Attaint with such procces, & pleas, and with

Attaint of any thing personall vnder xl. l.

Attaint.

without delates vt supra. And if the petit Jury be attainted, then enery of them shal forfeit v.l. to the King & party &c. & also make fine by the discretion of the Just. and enery person that may dispend v. marks by ̃ pers of frehold out of ancient demesne 02 is worth a C. marks in goods, is able to passe in the same Attaint. 23. H. 8. 3.

Tales into another Shire

7 If there be not persons of such sufficiencie within the Shire 02 places, where any of the said Attaints shall bee taken, as may passe in the same, then one Tales shall be awarded vnto the Shire next adioyning by the discretion of the Justices, &c. which shall be warned to appeare vpon like paines, &c. & enabled to passe in the said Attaints, as if they were dwelling in the Shire where the same shall be taken. 23. H. 8. 3.

Judgement for the defendant where the plaintiffe is nonsuit, 02 doth discontinue.

8 If the partie in Attaint given by this Act, be nonsuit, 02 discontinue the same, he shall make fine and ransom by the discretion of the Justices before whom the said Attaint shall be taken and depending. And the Judgement of restitution to the partie grieved, suing this Act, and execution of the same, shall be had, and like judgement for the defendant 02 tenant to be discharged of restitution, as in case of a grand Attaint hath bene used. 23. H. 8. 3.

Attaints where taken.

Attorney in Attaint.

Summons & seuerance in Attaint.

9 All Attaints shall be taken before the K. in his Bench, 02 before the Just. of the Common place, and in none other Courts. And Nisi prius shall be granted by discretion of the Just. vpon the discreete. And enery of the said petit Jurie may appeare and answer by Attorney in the same Attaint. 23. H. 8. 3.

10 If there be diuers plaintiffes 02 demandants in an Attaint, the nonsuit 02 release of any of them, shall not be preiudiciall to the residue, but they and enery of them in such cases may be summoned and seuered, like as is used, when there be diuers demandants in actions reall. 23. H. 8. 3. 13. Eliz. 25.

Attaint of inheritance. He in the reuerſion may haue Attaint of a verdict given against the particular tenant,

11 The same lawes, actions, and remedie, ordained by this Act, shall be kept, for and to al them that be grieved by such vntreue verdicts of any inheritance in descent, reuerſion, remainder, 02 of any freehold in reuerſion 02 remainder. 23. H. 8. 3. 13. Eliz. 15. H. 6. 5. If tenant for terme of life, in dower, 02 by the courtesie, 02 in taile after possibilitie of issue extinct, be impleaded, plead to Enquest, & lose by verdict, default, 02 in other manner, be to whom the reuerſion of the same lands be at the time of the Judgement, his heires 02 successors, shall haue a writ of Attaint, to attaint the Jurie, if he will assigne the false Serement, as well in the life of the said tenants as after their death. 9. R. 2. 3. S. Error. 1.

In what cases Attaint shall lye.

12 A writ of Attaint shall be granted, as well in plea of land of freehold, 02 any thing touching freehold, as in plea personall. 3. E. 1. 37. 34. E. 3. 7. And as well vpon the principall, as vpon the damages in an Action of trespass. And in this and all other cases, the Justices shall not let to take the Attaint for the damages not paid. 1. E. 3. 6. And Attaint shall be granted in places of Trespas pursued as well by bill as by writ before Justices of Record, without having regard to the quantity of the trespass. 5. E. 3. 7. 28. Ed. 3. 8. Nisi prius shall be granted in Attaint, but neither Ch. ſoine of the K. service, no3 Protection, shall be allowed therein. And fine daies in the year shall be given before the Justices of the common Bench in the said Juries at the least. 5. E. 3. 7. The partie grieved by any false verdict given in any action, suit, or nowrie, prescription, title 02 claime, made according to the Statute provided for the limitation of prescription, may haue an Attaint. 32. H. 8. 2.

Attaint sued by bill in the Hustings of London.

13 The partie grieved by any false verdict given in any of the Courts of the Citie of London, shall and may sue Attaint by bill in the Hustings of London, holden for common pleas, before the Maior and Aldermen of the same citie, and there vpon a Precept shall be awarded by the same Maior to enery Alderman of the said Citie 02 his deputie in his absence, to certifie the names of foure indifferent and discreet persons of good fame, & enerie of them of substance of a C. l. 02 more, Citizens of the same Citie, dwelling in his Ward, to the Maior and Aldermen of the said

said Citie, at the Hustings then next ensuing, of which persons so certified the said Mayor and six Aldermen, or more, holding the same Court of Hustings, shall impanelle xlvij. persons, and the Mayor shall cause to be summoned the said xlvij. and also the Jurors of the petit Jurie, and the tenants or defendants in the said bill of Attaint to appeare before the Mayor and Aldermen in the same Citie, at the Hustings of common pleas, then next to be holden in the same Citie. And if the same Attaint happen to remaine untaken by default of Jurors, by challenge or otherwise, upon everie Tales granted, the said Mayor and Aldermen shall impanelle the said persons which were certified by the said Aldermen, or their deputies, and omitted out of the said panell, or put therein other persons being Citizens of the said Citie, and of the substance of C. 7. c. 12. 11. H. 7. 21.

14 None of the petit Jurie, ne other parties named in any such bill of Attaint shall have any chalenge to the Array, or to any person being impanelled for lacke of sufficient goods or lands. 11. H. 7. 21. And every person being a Citizen of the citie of London, and worth in goods 400 markes, may be impanelled by the Shyrcifes of London in everie Attaint brought by writ, by vertue of the aforesaid Stat. of 23. H. 8. upon any verdict given by the citizens without any chalenge for insufficiencie of freehold of any of them. 37. H. 8. 5.

15 All the pleas pleaded for the tenant or defendant, or by any of the Jurors of the petit Jurie in the same Attaint, and triable by any Jury, shall be tried within the same Citie, and by the inquest of the same, and in none other place ne Countie. 11. H. 7. 21. And the Justices upon Attaint sued by writ according to the aforesaid Stat. of 23. H. 8. upon any verdict given by the citizens of London, shall sit only at the Guild hall of the same citie, or at some other place within the same citie, & there sweare the graund Jurie, and take the verdicts. And the Citizens shall not be compelled to appeare in any such Attaint taken upon any untrue verdict given in London, but onely within the limits of the said Citie. 37. H. 8. 5.

16 If the graund Jury swozne in the same Attaint, and that the petit Jury have given an untrue verdict, then the iudgement shall be given against the defendant as is used in Attaint sued by writ at the Common law. And the iudgement shall be against the petit Jurie, that every of them shall lose xxl. s. or more, by the discretion of the Mayor & Aldermen of the said Citie, keeping the Hustings, to such use as other issues and penalties bin forfeited in any action or plaint commenced before the Mayor and Aldermen &c. and his bodie to be imprisoned, there to remaine without baile or mainprise six moneths, or lesse, by the discretion of the Mayor and Aldermen &c. and to be disabled for ever to be swozne in any Jurie before any Tempozall Judge. But the Judgement in such Attaint shall not extend, to any lands or tenements, ne to other punishment of the petit Jurie. 11. H. 7. 21.

17 If it be found by the graund Jurie, that the petit Jurie have given a true verdict, then the graund Jurie shall have authoritie to enquire if any of the petit Jury received any summe of money, or other reward, or promise of money, or other reward, of the named defendants or tenants in the same Attaint, or of any other person, by the commandement, couine, or assent of any of them, for the intent of their verdict giving, whereupon the same Attaint is grounded: and after any such corruption by the said graund Jurie found, then the Juror that is found defective in taking, &c. shall pay to the plaintife named in the same Attaint, tenne times the value of the summe, or other reward so taken, or promised, and shall suffer imprisonment without baile or mainprise six moneths, or lesse, by the discretion of the said Mayor and Aldermen, and shall be disabled for ever, to be swozne in any Jurie, before any Tempozall Judge. And such defendant or tenant in the same Attaint, shall pay to such use as other penalties been forfeited within the same Citie, tenne times the value of the summe of money, or other reward, by him so given to any of

who be sufficient to passe upon Attaint in London.

Pleas of Attaint commenced in London, shall be tried in London.

The iudgement where the petit Jurie in London is attained.

The iudgement where the first verdict is affirmed.

Inquire of the taking of rewards.

Attaints. Attorney.

Remedie for the debts and damages recovered in the first action.

If the plaintiffe be nonsuit, or the first verdict affirmed.

The Attaint shall not abate though one of the plaintiffes die, or be nonsuit.

Attaint per Medietatem lingue.

Libertie upon whether Statute the partie will sue Attaint.

Suit of Court.

A generall Attorney.

Wile.

of the said petit Jurie, and shall be imprisoned without baile or mainprise, during the monethes, or lesse, by the discretion of the said Justices and Aldermen. 11.H.7.2.1.3. Jurors.

28 If any debts & damages or costs be recovered in any action whereupon such Attaint is grounded, and by the same Attaint it be found, that the petit Jurie hath given a false Verdict, then for the recovery and restitution of the same debt, damages & costs, the plaint. in every Attaint shall & may be an action of Debt against the same def. or tenant by writt, bill, or plaint, &c. wherein no Verdict. 11.H.7.2.1.3.

29 If any plaintiffe in any such Attaint be nonsuit, or if the first Verdict there be affirmed, then he shall have imprisonment, and make fine by the discretion of the Justices and Aldermen, &c. and that fine shall be to the Justices and Commynalties of the said Citie. 11.H.7.2.1.3.

30 If there be two or more plaintiffes in any such Attaint, and any of them die, or be nonsuit, the other shall be enabled to sue for the proceeding in the same Attaint, and notwithstanding the death of the defendant or tenant, or any of the petit Jurie named in the same Attaint, so that there be two of the same petit Jurie on life, the Attaint shall not abate. 11.H.7.2.1.3.

31 Upon all Attaints commenced within the Citie of London upon any record, whether the trial and Enquest be by baille, or by the Justices and Aldermen shall impaule the grand Jurie, the one half of strangers, of good name, of good to the value of a C. and more, inhabiting within the same Citie at large, and the residue of Citizens of the same value. 11.H.7.2.1.3.

32 It is at the libertie of all persons, upon an Oath or Oath given in any Courts of the Citie of London, to sue their Attaint upon the Stat. made 2. H.8. or else upon the Stat. made 1. H. at their own pleasure. 11.H.8.3.

33 What Challenge is allowable in Attaints by bill or writ in London. S. Challenge 1.2.3.4.

34 What Issues enerie Juror shall forfeit, which appeareth not in Attaint. S. Jurors 27.

35 Attaint by an heire within age upon a verdict past against him. S. Age 1.

36 Attaint upon a false Verdict given in the Citie of Lincoln. 13.R.2.8. H.5.5.

Attorney.

Every free man which oweth suit to the County, Witting, Hundred, and Tithing, Pentake, or to his Lords Court, may freely make his Attorney to do those suits for him. Merton 20.H.3.10.

Every man which feareth to be impleaded before the Just. of the H. Bench, Common Place, Justices in Cite, or of Alices, or in any Countie before the Sherife, or in any Court Baron, may make a general Attorney to put in for him in the foresaid causes to be sued by him, or against him, which Attorney hath power to proceed in the same suits, untill they be ended, or that his Master both release him. And yet by this they shall not be excused, but they may be put in fories and Alices before the same Justices. West.2.13.Ed.1.10. A Commission may be granted out of the Chancerie to some sufficient man, to receive Attorneys for such as be impleaded, dwelling farre off, or be unable to travel. 7.Ed.1. And such as depart the Realm by the Kings licence, and be of good fame, may make generall Attorneys to appeare and answer for them in Praemunis facias, and other writs, and to make other Attorneys under them. 7.R.2.14.

37 The tenants in Aulse of Novel disseisin, may make Attorneys if they will. And also they may plead by Bailiffs. Stat. Rborum. And after the tenant hath appeared

poored in Affise, Attaint, or Iuris virum, he cannot be effoined, but may make Attorney for him. West. 1. 3. Ed. 1. 41.

4 Every of the petit Jury in Attaint may appeare and answer by Attorney Attaint. in the Attaint. 23. H. 8. 3. 13. Eliz. 25.

5 The Appellant in any appeale of Murder, or death of a man, where Battell by the course of the common Law lyeth not, may make his Attorney, and appeare by the same in the said appeale, after it is commenced, to the end and execution of the same. 3. H. 7. 1.

6 The Defendants may make Attorneys in such suites where appeale lyeth not: So that if they be Attainted in their absence, the Sheriffe shall be commaunded to take them, and then they shall receive the punishment that they should have had, if they had been present when the Judgement was given. Gloucester. 6. Ed. 1. 8.

7 No Underheriffe, Sherifes Clarke, Sherifes receiver, or Bailife, shalbe Attorney in any of the Kings Courts for the time he is in Office with any such Sheriffe. 1. H. 5. 4.

8 No Steward, Bailife, or Officer of any Lord of a Franchise, which hath retourne of writs, shalbe Attorney in any plea within the same Franchise. 4. H. 4. 19.

9 If any Baron of the Exchequer, or Justice, or any of their Clarks or Officers, shall receive any Attorneys but only in the pleas and suits depending before them and their fellowes, and in the Courts where they are assigned, the same admission is void. Carlile. 15. Ed. 2.

10 Every Justice of the one Bench and the other, and also the chiefe Baron of the Exchequer, have authoritie to examine outlawed persons which be sicke of any disease openly knownen, and to recozd Attorneys for them: But in a writ of Capias ad satisfaciendum, the common Law holdeth place. 7. H. 3. 13.

11 If any Attorney be openly found in default by recozd, or otherwise, he shall forswere the Court, and never after be allowed to prosecute any suit in any of the Kings Courts: And every Attorney shalbe sworn truly to serve in their offices, and specially to make an suit in any foraine Countie. 4. H. 4. 18.

12 In all suits wherein proces of Capias and Exigent lyeth, if the Attorney have not his warrant of recozd, the same terme that the Exigent is awarded, he shall lose it. 1. 5. to the king, if he be Attainted thereof by examination of the Justices. 18. H. 6. 9.

13 Every such person which shalbe Attorney for any other person or persons being demandant or plaintife, tenant or defendant, in any action or suit commenced in any of the Queenes Courts of Recozd at Westmynster, and plead to an issue in the same, shall deliver, or cause to be delivered, his lawfull warrant of Attorney to be entred of recozd for every of the said actions or suits wherein he is named Attorney, to the officer or his deputy or deigned for the receipt or entering thereof in the same Terme, when the said issue is entred of Recozd in the said Court, or before, upon paine of forfeiting ten pounds for every default for not delivering of the said warrant: The one poerty to the Queene et. the other to such officers to whom, or in whose office the same warrant shold be delivered, to be recovered by Action, 25. H. 8. c. wherein no. 25. c. 1. or 2. p. 1. And also further shall suffer such Imprisonment, as by the discretion of the Justices of the Court (where any such default shalbe made) shalbe thought convenient. 32. H. 8. 30. 2. Ed. 6. 32. 18. Eliz. 13.

14 If any person or persons shalbe sued, or informed against, upon any penall Law, in any of the Courts of the Kings Bench, Common pleas, or Exchequer, where such person or persons are liable by Law, or whereby the Lawes or Statutes of Attorneys.

Suits where. in appeal lieth not.

Sheriffes officers shall not be Attorneys.

These officers shal not be Attorneys.

None shall receive Attorneys, but in suits depending before him.

The punishment of Attorneys found in default. Attorneys oath. Warrant of Attorneys recozd of recozd.

When the Attorney shall enter his warrant.

The defendant in suits upon penall statutes may appeare by Attorney.

Attorney. Auditor and Receiver.

of the Court such person or persons may appeare by Attorney: in all or every such cause the person or persons so to be impleaded, shall and may at the day and time contained in the first proces served for his apparance, appeare by Attorney of the same Court where the proces is returnable, to answer and defend the same, and not be obliged to personall apparance, or to put in baile for the answering of such suit: any former Law &c. notwithstanding. 29. Eliz. 5. The same branch of the said Act shall extend, and shalbe interpreted to extend only to the naturall Subjects bozne, or to be bozne within the Dominions of the Qu. her heires and successors, and to persons made free Denizens, and to no others: Any thing therein contained &c. notwithstanding. 31. Eliz. 10.

Attorney shall have a Ticket

A Bill of charge.

Delaying a suit, or be minding more then is due.

Who only shall be Attorneys.

Following a suit in another's name.

The Audite shall be provided.

15 No Attorney, Solicitor, or Servant to any shall be allowed from his Client, or Master, or, or for any fee given to any Sergeant, or Counsellor at Law, or of, or for any summe or summes of money given for Copies to any Clerke, or Clerkes, or Officers in any Court or Courts of Record at Westminster, unlesse he have a Ticket subscribed with the hand and name of the said Sergeant, or Counsellor, Clerke or Clerkes, or Officers aforesaid, testifying how much he hath received for his fee, or given, or payed for Copies, and at what time, and how often: And all Attorneys, and Solicitors, shall give a true Bill unto their Masters, or Clients, or their Assignes of all other charges, concerning the suit which they have for them, subscribed with his owne hand and name, before such time as they, or any of them shall charge their Clients with any the same fees, or charges: And if the Attorney or Solicitor doe, or shall, willingly delay his Clients suits to worke his owne gayne, or demand by his Bill any other summes of money or allowance upon his account of any mooney which he hath not layed out, or disbursed: in every such case, the party grieved shall have his action against such Attorney, or Solicitor, and recover their costes and treble damages. And the said Attorney and Solicitor shall be discharged from thenceforth from being an Attorney or Solicitor any more. 3. Jac. 7.

16 None shall from henceforth be admitted Attorneys in any of the Kings courts of Record aforesaid, but such as have been brought up in the same Courts, or otherwise well practized in solliciting of causes, and have been found by their dealings to be skillful, and of honest disposition: and none to be suffered to sollicite any cause or causes in any of the Courts aforesaid, but only such as are knownen to be men of sufficient and honest disposition. And no Attorney shall admit any other to follow any suit in his name, upon paine that both the Attorney, and he that followeth any such suit in his name, shall each of them forfeit for such offence xx. li. to the R. and the party grieved, to be recovered in any of the said Courts of Record by A. B. P. J. wherein no C. W. or D. &c. And the Attorney in such case shall be excluded from being an Attorney for ever thereafter. 3. Jac. 7.

1 How many Attorneys may be in Norfolk, Suffolke, and Norwich, Sec. 33. H. 6. 7.

Auditor and Receiver.

Every of the Kings Auditors of the Exchequer, Duchie of Lancaster, and Court of Wards and Liveries, shall yearly Proclaime and declare in every Countie within their severall limits, in three or foure Market Townes, or other places, by the space of xx. dayes before the Audite, when and where they will keep their Audits in the same shire, or they shall forfeit five pounds for every offence to the King and R. to be recovered by A. J. &c. wherein no W. &c. C. or D. &c. 33. H. 8. 39. See Accompt to the King 12.

2 If any Auditor of the Exchequer, Duchie of Lancaster, or Court of Wards and

and Lineries, or any of his Clarkes, or other to their or any of their use, shall take for the inrolment of any Letters patents, decrees of the same Courts, grants, or Indentures of Leases, or for the allowance of the same, above iiij. s. iiij. d. he so offending shall forfeit vij. s. viij. d. for every penny which he taketh above the foresaid summe, to the King and the Informer &c. to be recovered by A. B. &c. wherein no W. &c. C. or P. &c. And if any person do offer to any such Auditor any such Letters patents, decrees, leases &c. to be inrolled, he shall inroll the same, or as much thereof as shall appertain to his office. 33. H.8. 39.

Auditors fees for inrolment.

3 Every Receiver of the Exchequer, Duchy of Lancaster, and Court of Wardes and Lineries, which shall pay to any person an Annuity, pension, or other rent, shall (if the same person upon the receipt thereof will deliver unto him a sufficient Acquittance, sealed and signed, testifying the same receipt) receive the same, without taking any reward thereto, upon paine to forfeit for every penny or penny worth received vij. s. viij. d. And if the party doe not deliver such a sufficient acquittance, but that the Receiver, or his Clarke doth make the same, he shall have thereto iiij. s. and if he take above iiij. d. he shall forfeit for every penny or penny worth so taken vij. s. viij. d. And if any Tresorer, Receiver, or minister accomptant, or their deputies, which shall pay to any person any fee, annuity, pension, duty, warrant, or rent, do retaine, receive, or take of the partie, to whom he shall pay the same, in way of reward, or otherwise, above iiij. d. for every pound that he shall pay, he shall forfeit vi. s. viij. d. for every penny or penny worth which he shall receive over, to the party grieved, to be recovered by A. B. or P. wherein no W. &c. C. or P. &c. 33. H.8. 39. 7. Ed. 6. 1. S. Accomptants &c. to the King.

what fees every Receiver shall take.

1 The Kings Receiver shall enter into bond with sureties to accompt &c. S. Accompt to the King 10.

2 For the Auditors and Receivers precepts to Bailiffs accomptants. See Accompt. &c. 11. 12.

3 At what time the Kings Receivers shall accompt, and what they shall make payment. S. Accompt &c. 16. 17. 18.

4 When Auditors may commit accomptants to prison. S. Accompt 2.

Auowrie.

Wheresoeuer any manors, lands, tenements, and other hereditaments be holden by any person or persons by rents, customs, or services, if the Lord of whom any such manors, lands, tenements, or hereditaments be so holden, distraine upon the same lands, for any such rents, customs, or services, and replenish thereof be sued, the Lord of whom the same lands, &c. be so holden may auow, or his Bailife or servant make consuance, or iustifie, for taking the said distresse upon the same lands, tenements, or hereditaments so holden, as in lands &c. within his fee or seignioy, alledging in the said auowry, consuance, and iustification, the same lands &c. to be holden of him without naming of any person certaine to be tenant of the same, and without making any auowry, iustification, or consuance upon any person certaine. And likewise the Lord, Bailife, or servant shall make auowry, iustification, or consuance in like maner and forme, upon every writ sued of Second deliverance. 21. H.8. 19.

Auowry upon the land without naming any person.

2 Every Auowant, and other person or persons, that make any such auowry, iustification, or consuance, as bailife or servant to any person or persons in any Replegiare, or Second deliverance, for rents, customs, services, or for damage lesant, or other rents, upon any distresse taken in any lands, or tenements, if the same auowry, iustification, or consuance be found for them, or the plaintife in the same be not suit, or otherwise barred, then they shall recover their damages and costes

Auowry upon the land in Second deliverance. Auowant shall recover costes and damages against the plaintife.

A a ij

against

Auowrie. Auowson.

against the said plaintifes, as the same plaintifes should have done if they had recovered therein against the said defendants. 21.H.8.19.S.Dammages 8.

Such pleas as
ayde prayer, as
was at the
common law.

3 The said plaintifes and defendants in the said writs of Replegiare and Second deliuerance, and in euery of them, shall haue like pleas, and like ayde prayer in all such auowries, conuances, and iustificacions, (pleas of Disclaimer only except) as they might haue had befoze the making of this Act, as though the said auowry, conuance or iustification had been made after the due order of the common Law. 21.H.8.19.

Forcing in
ayde.

4 All such persons as by the order of the common Law may lawfully toyne to the plaintifes or defendants in the said writs of Replegiare or Second deliuerance, aswell without proces, as by proces, shall toyne vnto the said plaintifes or defendants, aswell without proces, as by proces, and haue like pleas, and like advantage in all things, (Disclaimer only except) as they might haue done by the order of the common Law befoze the making of this Act. 21.H.8.19. See Repleuin.

1 Auowry for rents after the estates in the same rents be determined. S. Rents 1.2.3.

Auowson.

Usurpation
during parti-
cular estates.

Whereas for Auowsons of Churches there be but three originall writs, that is to say, one writ of Right, and two of possession, which be Darreine presentment, and Quare impedit, and hitherto it hath been used in the Realme, that when any hauing no writ to present, had presented to any Church whose Clarke was admitted, he that was verie Patron could not recover his Auowson, but onely by a writ of Right, which should be tryed by Battaille, or by great Assise, whereby heires within age, either by fraud, or else by negligence, of their Wardens, and heires, both of great and meane estate, either by negligence, or else by fraud of Tenants by the Curtesie, Tenants in Dower, or othertowle for terme of life, or for yeares, or in fee taile, were many times disherited of their Auowsons, or at the least (which was the better for them) were diuinen to their writ of Right, in which case hitherto they were without remedie: It is provided, that such presentments shall not be preiudiciall to the right heires, or to them vnto whom such Auowsons ought to reuert after the death of other persons: For as often as any hauing no right, doth present vnto a Church during the Wardship of any heire within age, or during the interest of Tenant by the curtesie, in Dower, Tenant for terme of life, or yeares, or tenant in taile, by the fraud or negligence of the wardain of the same heire, or of any of the aforesaid Tenants, the same presentation shall not be so preiudiciall to the same heire, or to him to whome the reuersion shall come, after the death of any of the aforesaid tenants, but that after the heire shall come to his full age, or the Church become boyd after the death of any of the aforesaid tenants, he to whom the same belongeth shall haue the same action and recovery by possessary writ to recover the Auowson, as the last auncestor of such heire by ing of full age in the last auowdance falling befoze his death, or befoze the demise was made for a terme, or in taile, should haue had. And the like remedie is to be had of presentations made to Churches of the inheritance of wiues, during their coverture. Also Bishops, Archdeacons, Parsons of Churches, and other Ecclesiasticall persons shall haue remedie by this Statute, if any man hauing no right do present vnto Churches belonging to their spirituall dignities or Parsonages, during the vacation of such dignities, parsonages &c. West. 2.13.Ed.1.5.

Usurpation
during vacati-
on.

Judgements
given, shall be
auoyded by
lawful means
and not by
surmises.

2 But this Statute shall not be vnderstood so largely, that the foresaid persons for whose remedie it was ordained, shall haue their reconerie by surmising that the said wardens or Tenants did fainedly defend the suit moued by, or against them: for iudgments given in the Kings Court, shall not be aduulded until they be de-
seated

seated by Error, Attaint, or Certificate, which shalbe freely granted. Westm 2. 13. Ed. 1. 5.

3 If it happen after the death of the auncer which presented, that the same Auowson be assigned in dower, or holden by the curtesie, and those Tenants present, and after their death the right heire be disturbed to present, it is in his election, whether he will haue a Quare impedit, or Assise of Darrein presentment: And in like sort it is of Auowsons demised for terme of life, yeares, or in taile. West. 2. 13. Ed. 1. 5.

4 If a man do suffer a recovery of a Manor whereunto an Auowson is appendant, he that doth recover the same, shall haue a Quare impedit vpon a disturbance, as he, against whom the recovery was, might haue had. 7. H. 8. 4.

5 If there be agreement made betwixt severall persons which do claime the Auowson of a Church, and inrolled before the Justices, or by a fine, in this manner, That the one shall first present, and at the next auoydance an other, and at the third a third, and so further, and when one hath presented for his turne, according to the agreement, and at the next auoydance he to whom the second presentation belongeth, is disturbed by any that was partie vnto the agreement, or some other in his stead, he that is disturbed shall not need to sue a Quare impedit, but shall haue recourse to the Roll, or fine, and if the agreement be there found, he shall haue a Scire facias to warne the disturber to appeare within 15. dayes, or three weekes, according to the distance of the place, to shew if he haue any thing to say why the party disturbed should not recover his presentation. And if he appeare not, or do appeare, and can say nothing why the party disturbed should not recover his presentation, by reason of any deed after the agreement made or inrolled, or the fine, he shall recover his presentation with his damages. Westm 2. 13. Ed. 1. 5.

6 When an Auowson descendeth vnto Parteners, though one present twice, and usurpeth vpon his coheirs, yet he that was negligent shall not be clerely barred; but an other time shall haue his turne to present when it falleth. West. 2. 13. Ed. 1. 5.

7 If the defendant doe except in Assise of Darrein presentment, or Quare impedit, that the Church is full of his owne presentation, the suit shall not remaine by reason of that plenarty, so that the writ be purchased within six moneths, though he cannot recover his presentation within six moneths. Westm 2. 13. Ed. 1. 5.

8 Damages shalbe awarded for two yeares value of the Church, in a Quare impedit and Darrein presentment, if six months doe passe by any mans disturbance, so that the Bishop doe confer, and the very Patron doth lose his presentation for that time: And if the disturber haue not wherewith to redre his damages, he shall be two yeares Imprisoned: If the six moneths be not past, but the Auowson is recovered within that time, then damages shalbe awarded to halfe a yeares value of the Church, and the disturber shall be halfe a yeare imprisoned. Westm 2. 13. Ed. 1. 5. S. Prerogative 9.

9 When the parson of any Church is disturbed to demand Tithes in the next Parish by a writ of Inducavit, the Patron of the Parson so disturbed shall haue a writ to demand the Auowson of the Tithes in question. And when it is disproued, the suit shal so far forth proceed in the Spirituall Court, as it was disproued in the Kings Court. West. 2. 13. Ed. 1. 5. See there what writs will lie of Chappels, Prebends, Vicarages, Hospitals, Abbeyes, Priories, and other houses, which be of other mens Auowsons.

Badger, Lader, Carrier, Drouer.

If any Licence shalbe made to any Badger, Lader, Bidder, or Carrier of Cozne, Drouer of Cattell, buyer or transporter of Cozne and graine, Butter or Cheese, otherwise

Remedy for a disturbance after a particuler estate ended.

The recoverer shall haue a Quare imp' of the Auowson. Presentation by composition.

Usurpation by Parteners

Plenactie of the defendants presentation.

Damages in Quare imp' or in Assise of Darrein presentment.

Badger, Lader, Carier, Drouer. Bankrupts.

To whom a
where a Bad-
gers licence
shalbe made.

otherwise then in the generall and open Quarter Sessions of the peace holden in the shire where the party admitted, assigned, or allowed doth, and by the space of iiij. yerres before the Teste of his licence, hath dwelled, or other then to such person as is or hath been married, is a householder, no household servant or retainer, and xxx. yerres of age at the least, or to have continuance for more then one yeare, or which beareth not date the day and place where the Sessions be holden, or is not signed and sealed with the hands and seales of three Justices of the peace, being present at the same Sessions at the least, whereof one to be of the Quorum, the same licence shalbe void and the party which taketh the same shall forfeit v. pounds to the M. and J. to be recovered by A. J. ec. wherein no W. ec. C. or D. ec. 5. Eliz. 12. 13. Eliz. 25.

Licence to
buy Cozne out
of a Packet.

2 No person shall upon paine of v. l. to be forfeited and recovered as is aforesaid, by authoritie of such licence buy any cozne out of open Faire or marked to sell the same againe, except he be thereunto specially licensed by expresse words in his licence. 7. Eliz. 12. 13. Eliz. 25.

Licences and
recognisances
shalbe regi-
stred.

3 All licences made to the said Badgers, Ladgers, Drouers, &c. and all Recognisances taken of them by the Justices of peace in their Sessions (that they shall not doe any thing contrary to the Statute of 5. Ed. 6. 14. provided against foreshallers) shalbe made and written by the Clerke of the peace of the same County, or his Deputie, and none other person, and the Clerke shall haue xij. s. for the licence, and viij. s. for the recognisance, and for the registering of them both iij. s. at the most, for which see the Clerke or his Deputie shall keepe a Register booke, and therein shall write the names, surnames, and dwelling places of such as be licensed, with a briefe entry of the licence, and of the day, time, and place where it was graunted, which booke he shall bring to every Sessions that it may appeare what number of licences be graunted. 5. Eliz. 12. 13. Eliz. 25.

Purueys
for Cities and
Townes cor-
porate.

4 This Act shall not extend to preiudice the liberties of any Citie or Towne corporate, but every of them may lawfully assigne and licence purueys for the provision of the same City or Towne corporate, as they might haue done before &c. neither shall this Act be preiudiciall to the inhabitants within the Counties of Westmerland, Cumberland, Lancaster, Chester, Poerke, or any of them, but they may doe as they haue used to doe. 5. Eliz. 12. 13. Eliz. 25. S. Forfallers. Justices of peace. 32. 33.

Bankrupts.

Who shalbe
adindged a
Bankrupt.

All and every person and persons, being, or that shal be the trade of Merchantize, by way of bargaining, exchange, bartrie, cheuifance, or otherwise, in grosse, or by retail, or seeking his, her, or their trade of lining by buying and selling and being a Subject borne of this Realme, or any of the Kings Dominions, or Denizen, who at any time sithence the first day of this Parliament, or at any time hereafter shall depart the Realme, or begin to keepe his or her house or houses, or otherwise to absent him, or her selfe, or take Sanctuary, or suffer him, or her selfe willingly to be arrested for any debt, or other thing, not growen or due for money delivered, wares sold, or any other iust or lawfull cause, or good consideration or purpose: or hath, or will suffer him or her selfe to be outlawed, or yeeld him or her selfe to prison or willingly or fraudulently hath, or shall procure him, or her selfe to be arrested, or his or her goods, money, or cattels to be attached or sequestred, or depart from his or her dwelling house, or make or cause to be made any fraudulent graunt or conueyance of his, her, or their lands, tenements, goods, or cattels, to the intent, or whereby his, her, or their creditors being Subjects borne as aforesaid, shall or may be defeated, or delayed, for the recovery of their iust and true debts: or being arrested for debt, shall after his or her arrest, lye in prison vij. moneths or more upon that arrest, or upon any other arrest, or detention in prison for debt, and lie in prison for

for moneths upon such arrest or detention, shall be accounted and adjudged a Bankrupt to all intents and purposes. And the like Commissions, Orders, Benefits, and remedies which are and be provided and limited by the Statute made An. 13. Eli. 7. against any bankrupt therein described, or for, or concerning his, her, or their lands, tenements, hereditaments, fees, annuities, offices, goods, cattels, wares, merchandizes, and debts, or any of them, shall be had, pursued, taken, and expounded against such person and persons that are herein expressed to be bankrupts, his, her, or their lands, tenements, hereditaments, fees, annuities, offices, goods, cattels, wares, merchandizes, and debts, in such like manner and forme, as the same ought or might have bin, if the persons herein described to be bankrupts, had been described to be Bankrupts according to the intent of the said former Statute. 1. Jac. 15.

2 The Lord Chancellor, or Keeper of the great Seale, upon complaint to him made in writing, against any such person being Bankrupt as is aforesaid, hath authority by Commission under the great Seale, to assigne such honest and discreet persons, as shall seeme to him good, who, or the most part of them shall have authority to take such order with the the body of such person, wheresoever he or she may be had, either in house, Sanctuary, or else where, as well by imprisonment of his body, as with the lands, tenements, and hereditaments, as well copie or custome hold as freehold, which he shall have in his owne right before he became Bankrupt, as also with all such lands, tenements, and hereditaments, as he hath purchased or obtained for money or other recompence, jointly with his wife, child, or children, to the only use of such offender, or of, or for such use, interest, right, or title, as such offender then shall have in the same, which he may lawfully depart with, all, or with any person or persons of trust to any secret use of such offender: And also with his money, goods, cattels, wares, merchandizes, and debts wheresoever they may be found or knowne, and cause the said lands, tenements, fees, annuities, offices, goods, cattels, wares, merchandizes, and debts to be searched, viewed, rented, and appraised to the best value they may, and by deed indented, inrolled in one of the Courts of Record, to make sale of the said lands, tenements, and hereditaments, and of all deeds, evidences, and writings, touching only the same, belonging to any such offender or debtor, and also of all fees, annuities, offices, goods and cattels, or otherwise to order the same for the true satisfaction and payment of the same creditors, that is to say, to every of the said creditors a portion, rate and rate like, according to the quantity of his debts. And every direction, order, bargain, sale, and other things done by the said persons so authorized, as is aforesaid, in forme aforesaid, shall be good in law to all intents against the same offender or debtor, his wife, heires, and children, and such persons, as by such joint purchase with the offender, shall have any estate or interest in the premises, and against all other persons claiming by, from, or under such offender or debtor, by any act, made, or done, after he shall become Bankrupt as is aforesaid, and also against the Lords of the Manors, whereof the said Copyhold or Customary lands be holden, their heires, successors, and assigns, and every of them. 13. Eli. 7.

Commissioners
shall take order
for bankrupts
bodies, lands
& goods.

3 All persons to whom any such sale of Copyhold or Customary lands shall be made, shall (before they shall enter or take any profit of the same) compound with the Lords of the Manors, of whom the same shall be holden, for such fines or income as heretofore hath been accustomed to be paid therefor. And upon every such composition, the said Lords at the next Court to be holden, at, or for the said Manors, shall not only graunt unto the said vendee or vendees upon request, the same Copy or Customary lands, by copy of Court Roll of the same Manors, for such estate or interest as to them shall be so sold, and reserving the ancient rents, customs, and services: But also in the same Court admit them tenants of the same Copy or Customary lands &c. as other Copyholders of the same Manors have been wont to be admitted

Attenders of
copyholds shall
compound
with the Lords
of the manors.

Bankrupts.

admitted, and to receive their sealtie accordingly. 13. Eliz. 7.

Commissioners
shall declare
how they have
bestowed the
Bankrupts
goods &c.

4 Such of the said Commissioners as shall put the said Commission in execution, shall upon lawfull request to them made by the said Bankrupts, not only make a true declaration to the same Bankrupts of the imploying and bestowing of their said Lands, Tenements, Offices, Fees, Goods, Cattels and Debts so payed to their said Creditors, but also make payment of the overplus of the same (if any such shalbe) to the said Bankrupts, their executors, administrators, or assignes. 13. Eliz. 7. S. 20.

Examination
of such as have
Bankrupts
goods or be in-
debted to them

5 If after any such act or offence committed, and complaint thereof made to the said Commissioners, or the more part of them by any party grieved, as is aforesaid concerning the Premises, knowing, supposing, or suspecting any of the goods, cattels, wares, merchandizes, or debts of such offender or debtors, to be in custodie, use, or possession of any person, or any person indebted to any such offender, doe make relation thereof to the said Commissioners, or the more part of them: Then the said Commissioners, or the more part of them, have full power to send for, and call before them by such Procces, meanes, or waies, as they shall thinke convenient every such person so knowne, suspected, or supposed to have any goods, debts, &c. in his custodie &c. or supposed to be indebted to such offender, and upon his appearance to examine him as well by his oath as otherwise, by such meanes as the said Commissioners or &c. shall thinke meet for and upon the specialtie, certaintie, true declaration, and knowledge of all and singular such goods, and debts of any such offender as he suspected to be in his custodie, use, occupation, or possession, and of such debts as by himselfe shalbe supposed to be owing to any such offender. And if any such person upon such examination doe not disclose plainly and declare the whole truth of such things as he shalbe examined of, concerning the Premises to his knowledge, or doe deny to sweare: Then every such person denying to sweare, or being examined doe not declare the whole truth concerning the premises, upon due proofe thereof to be made, before the said Commissioners, or &c. by witness, examination, or otherwise, as to the same Commissioners, or &c. shall seeme sufficient, shall pay feitt the double value of all such goods, cattels, wares, merchandizes, and debts, by them so concealed, and not plainly and wholly declared: which forfeiture shalbe levied by the said Commissioners, or &c. of the lands &c. goods &c. of such person so denying to sweare, or not disclosing the whole truth by such meanes, and in such manner and forme, as is before limited for the principall offender, the same for. to be imployed to and for the satisfaction of the debts of the said creditors, in such like manner rate and forme, as is above declared, concerning the ordering of the lands and tenements, offices, fees, goods, and cattels of such offender or debtors, as is aforesaid. 13. Eliz. 7. S. 16.

Fraudulent
possessing of
Bankrupts
lands & goods.

6 If at any time before or after that any such person departeth the Realme, or shall keepe his house, or otherwise absent himselfe, or take sanctuary, or suffer himselfe to be arrested, outlawed, or yeeld his body to prison, any person so fraudulent-ly by couin claime, demaund, recover, possesse or detain any debts, duties, goods, cattels, lands, or tenements, by writing, trust, or otherwise, which were or shall be due or appertaine to any such offender, other then such as he can & doth prove to be due, by right & conscience in forme aforesaid, for money paid, wares delivered, or other iust consideration to the iust value thereof, before the said Commissioners or &c. and if same to proceed (bona fide) without fraud or couin, then every such person so craftily demanding, claiming, having, or possessing any such debt, shal forfeit double as much as he shal so claime, demaund, detain or possesse, which said for. shall be levied, recovered, and imployed in manner and forme before rehearsed. 13. Eli. 7.

7 If it shall fortune the creditors of any such Bankrupt to be satisfied and paid of their debts and duties, of, or with the proper lands, goods, and debts of the said Bankrupts

Bankrupts, or of, or with the same, and some part of the forfeiture of the said double values, to be forfeited as is aforesaid, and that there shall remaine an overplus of the said forfeiture of the said double values, then the one poitie of the said overplus shall be by the said Commissioners so executing the said Commission within convenient time after the leuying thereof, payd vnto the Queene &c. and the other poitie shall be distributed amongst the Poore within the Hospitals in euery Citie; Towne, or Countie, where any such Bankrupt shall happen to be. 13. Eliz. 7.

Howe the overplus of the forfeiture shall be employed after the creditors payed.

8 If any such person indebted, doe of purpose withdraw himselfe from his vsuall Dwelling house, then vpon complaint thereof made to the said Commissioners, the same Commissioners or the more part of them haue full power to award fine Proclamations, to be made in the Queenes name vpon fine sundry market dayes, in such places neere such place where such Bankrupt hath most commonly dwelled, or made his abode, commaunding him by the same Proclamations in the Queenes name, to returne with all convenient speed, and to yeld his body befoze the said Commissioners; or one of them, at such time and place, as by the said Proclamation shall be appointed. And if the said person doe not according to such Proclamation repaire and yeld his body as is aforesaid, then the body of euery such offendor shall be adiudged to all intents out of the Queenes protection. And also euery person that shall willingly and wittingly helpe to hide or conuey, or shall willingly and wittingly receiue, detayne, or keepe secretly any person so demanded by Proclamation, shall suffer such paynes by Imprisonment of his body, or pay such fine to the Queene, her heires and Successors, as to the Lord Chancellor, or Lord Keeper &c. (being informed thereof by the Commissioners, or the more part of them) shall seeme conuenient for his said offence. 13. Eliz. 7.

A remedy for him which departeth from his house.

Conueying or hiding him which is demanded by Proclamation.

9 If the Creditors of any such offendor or debtor &c. be not fully satisfied or otherwise contented for their debts and duties by the meanes befoze specified, then the said Creditors and euery of them, shall and may haue their remedy for the recovery and leuying of the residue of the said debts and duties, whereof they shall not be fully satisfied in forme aforesaid, against the said offendor, in like manner and forme, as they should and might haue had befoze the making of this Act. And the said Creditors and euery of them shall be only barred and excluded by vertue of this Act, of and for euery such part of the said debts and duties, as shall be payd or deliuered vnto them, by order of the said persons as is aforesaid, and of no more portion or parcell thereof. 13. Eliz. 7.

A remedy for the creditors which be not fully satisfied according to this Statute.

10 If any person declared to be a Bankrupt by this Act, shall at any time after purchase any Lands, Tenements, Hereditaments, free or copie, Offices, Fees, Goods, or Cattels, or that any such shall descend, reuert, or by any meanes come to him, befoze his debts due to his Creditors shall be fully payd, or otherwise agreed for: Then the same Lands, Goods, Cattels, &c. shall by the said Commissioners, or the more part of them be bargayned, sold, extended, deliuered, and bled for, and towards the payment of the said Creditors, in such like manner as other the Lands, Cattels, &c. of the said Bankrupt which they had, when they were declared first to be Bankrupts, should or might haue been by vertue of this Act. 13. Eliz. 7.

Extending of lands & goods descended vnto or purchased by a bankrupt

11 This Act shall not extend to any Lands, Tenements, or Hereditaments, free, or copyhold, which shall be assured by any Bankrupt, befoze he become Bankrupt, so alwayes that such assurance be made (Bona fide) and not to the vse of the Bankrupt himselfe only, or of his heires, and that the parties to whose vse such assurance shall be made, be not, at, or befoze the making of such assurance, priuie or consenting to the fraudulent purpose of any such Bankrupt to deceiue his Creditors. 13. Eliz. 7.

Lands conveyed away befoze he became Bankrupt.

Bankrupts.

Debts creditors may partake with the former.

12 It shalbe lawfull for any of the creditors of the said Bankrupt within foure months after such Commission shalbe sued forth, & untill distribution shalbe made by the said Commissioners for the payment of the Bankrupts debt, as in such case hath been used, to partake and ioyne with the other creditors, that shal sue forth any such Commission, for satisfaction and payment of his, her, or their debts, to him or them owing, without any hinderance, let, or disturbance of any of the same Commissioners, or of any of the other creditors of any such Bankrupts, the same creditors so coming in to contribute to the charges of the said Commission. And if the creditors come not within foure moneths, then the Commissioners to haue power to distribute. 1. Lac. 15.

Transferring of lands, goods, or debts, into others names.

13 If any person which hereafter is or shalbe a Bankrupt, by the intent of this Statute, shall conuey, or procure, or cause to be conueyed to any of his children, or other person or persons, any Mannors, Lands, Tenements, Hereditaments, offices, Fees, Annuities, Leases, Goods, Chattels, or transerre his debts into other mens names, (except the same shalbe purchased, conueyed, or transferred, for, or upon marriage of any of his, or their children, both the parties married being of the yeres of consent, or some valuable consideration) it shalbe in the power and authority of the Commissioners on this behalfe to be appointed, or the more part of them to bargain, sell, graunt, conuey, demise, or otherwise to dispose thereof, in as ample manner, as if the said Bankrupt had been actually seised or possessed thereof, or the debts were in his owne name, or the like estate or interest to his or their owne use, at such time as he or she became Bankrupt. And euery such graunt, bargain, sale, conueyance, and disposition of the said Commissioners, or the greater part of them, shalbe good and available to all intents, constructions, and purposes in law, against the offendour or offendours, his heires, executors, administrators, or assignes, and such children and persons as shalbe subiect to this Statute, and against all other person and persons claiming by, from, or vnder such offendour or offendours, or such said other persons to whom such conueyance shalbe made by the said Bankrupt, or by his meanes or procurement. 1. Lac. 15.

Proclaiming and apprehending a Bankrupt.

14 The said Commissioners may call befoze them, or the greater part of them, the said Bankrupt: and if upon lawfull warning made or left in writing at thre severall times at the dwelling place or house where the said Bankrupt, his wife, or family, for the most part of his abode did lodge or remaine, within one yere befoze he, she, or they became Bankrupt, the said Bankrupt shall not appeare befoze the said Commissioners, or the greater part of them: then and from thenceforth it shalbe lawfull for the greater number of the said Commissioners to appoint to proclaim the said partie a Bankrupt, at such publike place, or places, where the said Commissioners, or the greater number of them shall thinke mete, warning him, her, or them to appeare befoze them upon the said Commission at some time appointed. And if upon five severall Proclamations made in some publike place, the party offending appeare not befoze the said Commissioners, and yeld his, her, or their bodies to them, or some of them: the said Commissioners, or the greater part of them shall or may award a warrant to such fit person or persons as they shall thinke meet and requisite, to apprehend the body or bodies of the said offendour and offendours, and to bring him, her, or them so offending, befoze the said Commissioners, where soever the said party or parties offending are found, in place privileged, or not, to be examined by the said Commissioners, or the greater part of them. 1. Lac. 15.

Examination of a Bankrupt.

15 It shalbe lawfull for the said Commissioners, or the greater part of them, to examine the said offendour or offendours, upon such interrogatories, touching the lands, tenements, goods, chattels, debts, bills, bonds, bookes of account, and such other things as may tend to disclose his, her, or their estate, or the secret graunts, conueyances, and eloining of his, her, or their lands, tenements, goods, money, and

Bankrupts.

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and debts, as they shall thinke meet. And if therein the offendor or offendors shall refuse to be examined, or to answer fully to every interrogatorie to him to be ministered by the sayd Commissioners, or the greater part of them. It shall be lawfull for the sayd Commissioners, or the greater part of them, to commit the sayd offendor or offendors to some strait or close imprisonment, there to remaine, untill he, shee, or they shall better confirme him or her selfe. And if vpon his, her, or their examination it shall appeare, that he, shee, or they haue committed any wilfull or corrupt perurie, tending to the hurt or damage of the creditors of the said Bankrupt, to the value of x. l. of lawfull money of England, or aboue, the partie so offending, shall or may therof be indited in any of the Kings Courts of Record, and being lawfully convicted thereof, shall stand vpon the pillorie in some publick place by the space of two houres, and haue one of his eares nailed to the pillory, and cut off. 1. Jac. 13.

A Bankrupt refusing to answer to interrogatories.

A Bankrupt committing perurie.

16 If any person or persons being knownen, supposed, or suspected to haue or detain any part of the Lands, Tenements, or Hereditaments, goods, Chattels, or Debts of the said Bankrupt, or to be indebted to or for the benefit of the said Bankrupt, shall after lawfull warning to the said person or persons giuen, to come before the sayd Commissioners, or the greater part of them, to be examined according to the intent of the sayd Statute, refuse to come, or shall not come before the sayd Commissioners at the time appointed, hauing no lawfull impediment (such as shall be admitted and allowed of by the said Commissioners, or the more part of them, and which shall be then signified or made knowne to the sayd Commissioners, at the time of their assembly) Or that any such person or persons hauing knowledge or warning of any other assembly or meeting of the said Commissioners againe, shall not come and appeare before them, at such time as he or shee lawfully may come, hauing no such lawfull impediment as shall be then made knowne to the said Commissioners, and by them admitted and allowed of as is aforesaid: or being come before them, shall refuse to be swoyne, and to make answer to such interrogatories as shall be ministered vnto him, or them, according to the true meaning of the said Statute made 13. Eliz. or of this Act: When it shall be lawfull for the said Commissioners, or for the greater part of them to commit to such ward and prison, as to them or the greater part of them shall be thought meet, all such person or persons as shall so refuse to be swoyne and make answer to such interrogatories as shall be so ministered, as is aforesaid, and also to direct their warrants to such person or persons, as to them, or the greater part of them shall be thought meet, to apprehend and arrest such person or persons, as shall refuse to appeare before them, as aforesayd, and to bring him, her, or them before the sayd Commissioners, or the greater part of them, to be examined as abovesayd, and vpon his, her, or their refusall to come or be examined before the sayd Commissioners, as aforesayd, to commit the sayd partie so refusing to such prison, as the sayd Commissioners, or the greater part of them shall thinke meet, there to remaine without baile or mainprise, untill such time as the sayd person so refusing to come, or to be swoyne to answer before the said Commissioners, shall submit him or her selfe to the said Commissioners, and be by them examined, according to the true intent of the said Statute, and of this Act. 1. Jac. 15.

Examination of such as haue Bankrupts goods, or be indebted vnto them

17 Provided alwayes, that such witnesses as shall be sent for, shall haue such costs and charges as the Commissioners in their discretion shall thinke meet: The same charges to be ratably borne by the Creditors of the said Bankrupt, according to the proportion of each of their severall debts. And if any person or persons, other then the Bankrupt, either by subornation, vnlawfull procurement, sinister perswasion,

witnesses allowed their charges.

Perurie.

Bankrupt.

persuasion, or meanes of any others, or by his owne act, consent or agreement, shall wilfully and corruptly commit any manner of wilfull perurie, by his deposition to be taken before the said Commissioners, or the greater part of them, as aforesaid, Then the party or parties so offending, and all and every person and persons that shall unlawfully and corruptly procure any such unlawfull, wilfull, and corrupt perurie, shall or may therefore be indicted in any of the Kings Majesties Courts of Record, and after his or their conviction thereof, shall incur such forfeiture, and receive such paines and punishment as are limited by the Statute made concerning Perurie, in the first yeare of the Reaigne of Queene Elizabeth. 1. Jac. 15.

The forfeitures.

18 All and every summe and summes of money, which shall be forfeited by force of this present Act, shall be sued for, and recovered by the said Creditors only, or any of them that will sue for the same, by Action of Debt, Bill, Plaint, or Inforcement, in any of the Kings Majesties Courts of Record, and the summe or summes of Money so recovered (the charges of suit being deducted) shall be distributed and divided towards the payment of the Creditors of the Bankrupt. 1. Jac. 15.

Assignment of debts due to a Bankrupt.

19 The Commissioners of Bankrupts, or the greater part of them, shall have power to graunt and assigne, or otherwise to order or dispose, all or any of the Debts due, or to be due, to or for the benefite of the said Bankrupt, by what person or persons soever, or in what maner or forme soever, to the use of the Creditors of the said Bankrupt, according to the true intent of the said former recited Statute of Bankrupts. And the same ground, assignement, or disposition of the said Debts in the forme aforesaid, to be made by the said Commissioners, or the greater part of them, shall so vest the propriety, right, and interest of the said Debt and Debts, in the person or persons of him, her, or them, to whom it shall be graunted, assigned, or ordered by the said Commissioners, or the greater part of them, as fully to all intents and purposes, as if the said Bill, Bond, Warrant, Statutes, Recognizances, Judgement, or Contract, whereupon the said Debt or Debts, were or were shall arise or grow, had been made to, or with, or for the said person or persons, to whom the same shall be so graunted, assigned, or disposed by the said Commissioners: And after such Graunt, Assignment, or disposition made of the said Debts, neither the Bankrupt, nor any other to whom any such Debts shall be due, shall have power to reconer the same, nor to make any release or discharge thereof, neither shall the same be attached as the Debt of the Bankrupt, or such said other person or persons to whom the same shall be due, by any other person or persons, according to the custome of the Citie of London, or otherwise: But the partie or parties to whom the same Debt shall be assigned, shall have like remedie to reconer the same, as fully and lawfully in the name or names of the person or persons, to whom the same shall be so graunted, assigned or ordered by the said Commissioners, in all respects and purposes, as the partie himselfe might have had: Any Law, Statute, use or Custome to the contrary thereof in any wise notwithstanding. Provided alwayes, that no Debtor of the Bankrupt be hereby endangered, for the payment of his or her debt truly and Bona fide to any such Bankrupt, before such time as he shall understand, or know, that he is become a Bankrupt. Anno 1. Jac 15. Sec. 2.

Declaring how the bankrupts lands and goods be bestowed.

20 Such of the said Commissioners as shall put the same Commission in execution, shall upon lawfull request to them made by the said Bankrupt, not only make a true declaration to the said Bankrupt of the employing & bestowing of his, her or their said lands, tenements, & hereditaments, offices, fees, goods, wares, money, chattels,

cattels, & debts, which shalbe paid & satisfied to their said creditors, as is in the case limited & appointed by the said former statute made 13. El. but also make payment of the overplus of the same, if any such shall be, to the said Bankrupts, their executors, administrators, or assigns. And the said Bankrupts, after the full satisfaction of the said creditors, shal have full power & authority to recover & receive the residue and remainder of & debts to them owing, any thing in this act contained to the contrary notwithstanding. 1. Jac. 15. S. 4.

21 If any Action of Trespass, or other Suit, shall happen hereafter to be brought against any Commissioner authorized by the Statute made 13. Eliz. for Bankrupts, or any other person or persons, having authority by vertue, or under the Commission, authorizing the Commissioners for the doing or executing of any matter, by force of the said statute, or this present statute, The defendant or defendants in any such action or suit may plead not guiltie, or otherwise iustifie, that the act or thing whereof the plaintife or plaintifes complained, was done by the authority of the said act made 13. Eliz. or in this present act, respectively, without expressing or rehearsing of any other matter of circumstance contained in either of the said acts, and without inforcing him or them to shew forth their Commission authorizing the said act or thing, whereunto the plaintife shalbe admitted to reply, that the defendant did the said fact supposed in the declaration of his owne wrong, without any such cause alledged by the said Defendant, whereupon the issue in such Action shalbe joined, to be tried by verdict of twelve men, and upon the trial of that issue, the whole matter to be given on both parts in evidence, according to the very truth of the same: And if the verdict upon such issue shall passe for the defendant, the defendant to have his costs. 1. Jac. 15.

The Commissioners plea in an action brought against them.

22 If after any Commission of Bankrupts hereafter sued forth, and dealt in by the Commissioners, the offenders happen to die, before the Commissioners shal distribute the goods, lands, and debts of the offenders, or any of them, by force of the foresaid Statute of 13. Eliz. and this statute, or either of them, When nevertheless the said Commissioners shal and may in that case proceed in execution, in and upon the said commission, for and concerning the offenders goods, lands, tenements, hereditaments, and debts, in such sort as they might have done, if the partie offender were living. 1. Jac. 15.

The Commissioners shal proceed, though the Bankrupt die

Barke.

Whoever shall maliciously, willingly, or unlawfully bark any apple trees, pear trees, or other fruit trees, of any other persons, shall forfeit to the partie grieved treble damages, to be recovered by action of Trespass to be taken at the common law, and to the R. & C. for a fine. 37. H. 8. 6.

- 1 There shalbe no ingrossing or regrating of Barke. S. Leather 14.
- 2 At what time trees meet to be barked shalbe felled. S. Leather 15.
- 3 Purveyors shall not fell timber but in barking time. S. Leather 16.

Bastardie.

Two Justices of the Peace, whereof one to be of the Quorum, in or next unto the limits, where the Parish church is, within which Parish any Bastard be gotten and bozne out of lawfull Patrimoine shall be bozne (upon examination of the cause and circumstance) shal and may by their discretion, take order, aswell for the punishment of the mother, & reputed father of such bastard child, as also for the better reliefe of everie such parish in part or in all, and shall and may likewise take order for the keeping of everie such bastard child, by charging such mother or reputed

Just. of peace shal take order for Bastardie.

Bastardie. Barwicke.

ted father, with the payment of money weekly, or other sustentation for the reliefe of such child, in such cases as they shall thinke convenient. And if after the same order by them subscribed vnder their hands, any the said persons, that is to say, mother or reputed father, vpon notice thereof, shall not for their part performe the said order: Then euerie such party so making default, in not performing the said order, shall be committed to ward to the common gaole, there to remaine without baile or mainprize, except he, she, or they shall put in sufficient sureties to performe the said order, or else personally to appeare at the next generall Sessions of the Peace to be holden in that countie where such order shall be taken, and also to abide such order, as the said Just. of the P. or the more part of them, then and there shall take in that behalfe (if they then and there shall take any) and if at the said Sessions the said J. shall take no order, then to abide and performe the order before made, as is abovesaid. 18. El. 3. 1. Jac. 2. 5. to continue to the end of the first Session of the next parliament. S. I. of Peace. 102.

The is a bastard which is borne before marriage.

Proclamations made before the writ to the Bishop to certifye bastardie.

2. It is an auncient and approued law in this Realme, that he which is borne before marriage is not legitimat to enioy any inheritance, as he that is borne after marriage. Merton 20. H. 3. 9.

3. In all courts where any suit shall be commenced, wherein Bastardie shall be pleaded against any person, partie to the same suit, and thereupon an issue ioined, which by the Law ought to be certified by the Ordinarie, the Just. or one of them of the same Courts before any writ of Certificat shall passe to the Ordinarie to certifye the issue so ioined, shall make remembrance vnder their Seales or Seale, at the demandant, tenant, plaintife, or defendants suit, reciting the issue, and shall certifye the same to the Chancelor of England, to the intent that Proclamation may be made in the Chancerie once euery moneth by the space of thre moneths, that all persons which haue any interest to obiect against him which pretendeth to be mulier, shall be before the Ordinarie to whom the Certificat shall be directed, to alledge and obiect against the partie pretending to be mulier, as the lawes of the church do require. And the Chancelor having notice of the same remembrance and issue ioined, and being required by one of the foresaid parties, shall cause the said Proclamations to be made in forme aforesaid, & shall certifye the same into the court where the suit shall depend. And the Justices of the court where the suit shall be commenced, shall make one Proclamation openly in the same court, before any Proclamation made in the Chancerie, and another after the Chancelor hath certified, and then the Judge shall award the said writ of Certificat to the Ordinarie, to certifye of the issue ioined. And if any writ of Certificat be graunted, before all the proclamations in forme aforesaid to be made and certified, the said Certificat, and the certificat of the Ordinarie thereupon made, shall be void in law. 9. H. 6. 11.

1. By what meanes bastardie shall be tried when it is pleaded against one borne beyond the Sea. S. Abilitie 2.

2. The punishment of lewd women which haue Bastards, and a remedie for them that runne away and leaue their children to the charge of the Towne. S. Vagabonds 20. 21.

Barwicke.

Merchandise is conneped into or out of Scotland, shall be brought to Barwicke.

All merchandizes that shall be brought out of Scotland, or Isles of the same, into this Realme, Ireland, or Wales shall be first brought to Barwicke. And none vnder the Kings obeysance shall buy such Merchandizes, before that it be bought, sold, & customed there (except at Carlisle, and the Ports and Creekes pertaining to the West March.) And also none vnder the Kings obeysance shall carrie any Merchandize being in England, Ireland, or Wales, into Scotland, or into the Isles.

of the same: And none vnder the R. allegiance shall sel merchandize of England, Wales, or Ireland, to any inhabiting in Scotland, except at Barwicke, and Carlisle. No Merchandize shall be shipped betwene Winmouth and Barwicke, but only in the port of Barwicke. No man shall cause to be sold salmon taken in Tweed but the Burgeses, and they that be franchised in Barwicke. And he that offendeth or doth with any merchandize contrarie to this ordinance, shall forfeit the same to the R. and him that will seise, or sue for the same by A. of debt, wherein no W. C. P. &c. 22. Ed. 4. 8.

- 1 For payment of Mortuaries in Barwicke, and the Marches thereof. S. Mort. 5.
- 2 Liberties and Franchises granted to the Maior &c. of Barwick. S. 1. Jac. 2. 8.

Bishops.

Auerie auoidance of any Archbishops, or Bishops within this realm, or in any other the R. Dominions, the R. his heirs & successors, may grant to the Deane and Chapter of the cathedrall churches, where the See of such Arch. or Bishops shall happen to be void, a licence vnder the great seale (as of old time hath bin accustomed) to proceed to election of an archb. or bishop of the see so being void, with a letter missiue containing the name of the person which they shall elect and chuse. By vertue of which Licence the said Deane and Chapter, to whom any such licence and letters missiues shall be directed, shall with all speed in due forme elect and chuse the said person named in the said letters missiues, to the dignitie and office of the archb. or bishop, so being void, and none other. And if they doe defer or delay their election aboue xij. daies next after such licence, and letters missiues to them deliuered, then for euery such default, the R. his heirs and successors, at their Libertie and pleasure, shall nominat & present by their letters patents, vnder their great seale, such a person to the said office and dignitie so being void, as they shall thinke able and conuenient for the same. And euery such nomination and presentments to be made by the R. his heirs and successors, if it be to the office and dignitie of a bish. shall bee made to the archb. and Metropolitane of the Province, where the See of the same bishoprick is void, if the See of the said archb. bee then full and not void: And if it be void then to be made to such Archb. or Metropolitane within this realme, or in any the R. dominions, as shall please the king, his heirs or successors: And if any such nomination or presentment shall happen to be made for default of such election to the dignitie or office of an archb. When the R. his heirs and successors, by his L. patents vnder his great seale shall nominat and present such person as they will dispose to haue the said office and dignitie of Archbishopricke being void, to one such archb. and two such bish. or else to foure such bish. in this realm, or in any the R. dominions, as shall be assigned by our said Soueraigne Lord, his heirs or successors. 25. H. 8. 20.

The manner of electing of bishops.

1 Whensoever any such presentment or nomination shall be made by the R. his heirs or successors, by authoritie of this act, & according to the tenor of the same: the euery arch. & bish. to whose hands any such presentment and nomination shall be directed, shall with all speed inuest and consecrat the person nominate and presented by the R. his heirs or successors, to the office or dignitie that such person shall be so presented vnto, and giue and vse to him all and all other benedictions, ceremonies and things requisite for the same. And if the said Deane and Chapter after such licence and letters missiues to them directed within the said xij. daies, doe elect & chuse the said person mentioned in the said Letters missiues according to the request of the king, his heirs or successors, thereof to be made by the said Letters missiues in that behalfe: then their election shall stand good and effectuell to all intents, & the person so elected, after certification made of the same election, vnder the common

Consecration of a Bishop.

Bishops.

Lord elect.

seale of the electors, to the *K.* his heirs or successors, shall be reputed and taken by the name of Lord elected of the said dignitie and office, that he shall be elected unto: And then making such oath and fealty only to the *K.* his heirs and successors, as shall be appointed for the same, the *K.* by his letters patents vnder his great seale shall signifye the said election, if it be to the dignitie of a Bishop, to the Archbishop and Metropolitan of the Province where the See of the said Bishopricke was void, if the See of the Archbishop bee full and not void: And if it be void, then to any other Archbishop within this realme, or in any other the *K.* dominions, requiring & commanding such archbishop, to whom any such signification shall be made to confirme the said election, & to inuest & consecrate the said person so elected to the office & dignitie y^e he is elected unto, and to giue & vse to him all such benedictions, ceremonies, and other things requisite for the same. And if the person be elected to the office and dignitie of an Archbishop, according to the tenor of this act, then after such election certified to the *K.* in forme aforesaid, the same person so elected to the office and dignitie of an Archb. shall be reputed and taken Lord elect to the said office and dignitie of Archb. whereunto he shall be so elected: and then after he hath made such oath and fealty only to the *K.* his heirs and successors, as shall be limited for the same: The *K.* by his L. patents vnder his great seale shall signifye the said election to one Archb. and two other Bishops, or else to foure bishops within this realme, or within any other the *K.* dominions, to be assigned by the *K.* his heirs or successors, requiring & commanding the said Archb. and Bishops with all speed to confirme the said election, & to inuest & consecrate the said person so elected to the office & dignitie that he is elected unto, and to giue and vse to him such pall, benedictions, ceremonies, and all other things requisite for the same. Añ 25. H. 8. 20.

This election of a Bishop shall be lawful.

3 Euerie person and persons being hereafter chosen, elected, nominated, presented, inuested, & consecrated to the dignitie or office of an Archbishop or bishop within this realme, or within any other the *K.* dominions, according to the forme, tenor, and effect of this present act, and suing their temporalties out of the *K.* hands, his heirs or successors, as hath bene accustomed, and making a corporall oath to the *K.* his highnesse, and to none other in forme as is aforesaid rehearsed, shall and may bee thronized or installed, as the case shall require, and shall haue and take their only restitution out of the *K.* hands, of all the possessions and profits spirituall and temporall belonging to the said Archbishopricke or bishopricke whereunto they shall be so elected or presented, & shall be obeyed in all manner of things, according to the name, title, degree, and dignitie that they shall bee so chosen or presented unto, and do and execute in euerie thing and things touching the same, as any archbishop or bishop of this Realme, without offending of the prerogative royall of the crowne, and the laws and customes of this realme, mought at any time heretofore do. Añ 25. H. 8. 20.

The penaltie for not electing or not consecrating a Bishop.

4 If the Deane and Chapter of any Cathedral Church where the See of any Archbishop or bishop is within any the *K.* dominions, after such licence, as is aforesaid rehearsed shall be deliuered to them, proceed not to election, and signifye the same according to the tenor of this act, within the space of xx. dayes next after such Licence shall come to their hands: Or else if any Archbishop or Bishop within any the *K.* dominions after any such election, nomination, or presentation, shall bee signified unto them by the *K.* Letters patents, shall refuse, and do not confirme, inuest, and consecrate with all due circumstances as is aforesaid, euerie such person as shall be so elected, nominated, or presented, and to them signified, as is aboue mentioned, within xx. dayes next after the *K.* Letters patents of such signification or presentation shall come to their hands: Or else if any of them, or any other person or persons, admit, maintaine, allow, obey, doe, or execute any censures, excommunications, interdictions, inhibitions, or any other proces or act, of what nature, name,

of quality soever it be, to the contrary of let of due execution of this act, When every Deane and particular person of the Chapter; and every Archbishop and Bishop, and all other persons so offending & doing contrarie to this Act, or any part thereof and their aides, counsellors, and abettors shall run in the dangers, perils, and penalties of the Statute of Praemunire made 3. Ed. 3. & 1 R. 2. c. 5. H. 8. 20. 1. El. 1.

5 Such order and forme for the consecrating of Archbishops and Bishops, and for the making of Priests, Deacons, and Ministers, as was set forth in the time of K. Ed. 6. and added to the booke of Common Prayer, & authorized by Parliament, An. 5. & 6. E. 6. 1. shall stand and be in full force and effect, and shall be used and observed in all places within this Realme, and other the Qu. dominions; and all acts and things heretofore had, made, or done by any person or persons in or about any consecration, confirmation, or inueſting of any person or persons elected to office or dignitie of any Archb. or Bish. within this realm, or within any other the Qu. dominions or countries, by vertue of the Qu. letters patents or commission, thence the beginning of her raigne, be and shal be by authoritie of this Parliament, declared, and iudged, at and from euerie of the severall times of the doing thereof, good and perfect to all respects and purposes: Any matter or thing that can or may be objected to the contrary thereof in any wise notwithstanding. And all persons that have been or shal be made, ordered, or consecrat Archbish. Bish. Priests, Ministers of Gods holy word and Sacraments, or Deacons after the forme and order prescribed in the said order and forme how Archb. Bish. Priests, Deacons, and Ministers, should be consecrated, made and ordered, be in verie deed, and also by authoritie hereof declared and enacted to be, & shal be Archb. Bish. Priests, Ministers, and Deacons, and rightly made, ordered and consecrated: any statute, law, canon, or other thing to the contrary notwithstanding. 8. Eliz. 1.

Bishops consecration.
Making of Ministers.

6 Provided alwaies, that no person or persons shall at any time hereafter be impeached or molested in body, lands, livings, or goods, by occasion or means of any certificate by any archb. or bish. heretofore made, or before the last day of this Session of Parliament to be made, by vertue of any Act made in the first Session of this parliament, touching or concerning the refusal of the oath declared and set forth by act of Parliament, An. 1. Reg. El. Any thing in this act, or any other act or Stat. heretofore made to the contrary notwithstanding. And all senders of the said certificate of the refusal of the oath made by any Archb. or bishops aforesaid, or before the last day of this Session to be made, by authority of any act established in the first Session of this parliament, and all refusals of the same oath so tenored by any archb. or bish. by authority of any act, established in the first session of this parliament, shal be void. 8. Eliz. 1.

7 All & every deprivation & deprivations, and all & every sentence and sentences of deprivation whatsoever, had, pronounced, or given at any time betwene the beginning of her raigne of her Majesty. that now is, & the 1. day of November in the 4. yeare of the same, against any person or persons, which was, or toke by him to be archb. or bish. of any See or bishoprick, or deane of any deanry within this realme, or any the dominions thereof in the raigne of the late Qu. Mary. from such See or bishoprick, shal be adiudged, deemed, & taken good and sufficient in law to all intents and purposes, and so shall remaine & continue: Any appeal, exception, or other matter or thing whatsoever to the contrary thereof in any wise notwithstanding. 39. El. 8.

Depprivation of Bish and Deanes.

8 All such archb. and bish. & deans, as were ordained or made by the authority or licence of her Majesty. that now is, at any time betwene the beginning of her raigne, & the last day of November in the 4. yeare of her raigne, shal be taken & adiudged to be lawful archb. or bish. of the See or bishoprick, and deane of the deanry, unto the which he was so preferred, assigned, or appointed: And the same See or archbishoprick, or bishoprick.

Archb. bish. & deanes made by the Qu.

Bishops. Bookes.

bishoprick, and deanry, unto which he was preferred, assigned, or appointed, shall be deemed, and adjudged to be merely void to all respects and purposes, before such preferment, appointment, or assignement is made, as aforesaid: any ambiguity or question in that behalfe heretofore made, or hereafter to be made to the contrary in any wise notwithstanding. 39. El. 8.

Seisin of a
Bishops tem-
poralties.

9 The King nor his heires shall take, or cause to be taken into their hands the Temporaltie of Archbishops, or Bishops, without a true & iust cause, according to the Law, and Judgement thereupon giuen. 14. Ed. 3. 3. A Bishops Temporaltie shall not be seised for a contempt vpon a writ of Quare non admisit, or such other cause: but he shall make a reasonable fine, according to the quantitie of the trespass, or qualitie of the contempt. 25. Ed. 3. 6. pro Clero.

Using of B.
temporalties
during the va-
cation.

10 At all times when any Vacation of any Archbishopricks, or Bishopricks shall happen, the Kings Escheatores for the time being shall enter, & cause the same voidances to be well kept, without doing wast or destruction in the Mannours, parkes, ponds, or woods. And they shall sell no underwood, nor hunt in the Parkes or Warrens, nor fish in the Ponds, nor free fishings, nor shall take any fine of the Tenants free or bound: But shall keep and saue as much as pertaineth to the said voidances, without doing hurt, or any manner of oppression. And if the Deane and Chapter of Cathedral Churches, will render to the King and his heires the value of the said auoidances, as other will reasonably yeeld, When the Chauncello and Treasurer shall haue authoritie to let to the said Deane and Chapter the said voidances by good and sufficient suretie, so that they shall haue the same before all other, yeelding to the King the value as shal be found by Remembrances of the Exchequer, or by Enquest to be taken vpon the same, if need be, without making fine. And if they will not consent to yeeld the value, nor find such suretie, When the Chauncello and Treasurer shall cause such auoidances to be preferred by Escheatores, or other sufficient keepers, to answer the King of that to him pertaineth reasonably, without doing wast or destruction, or other thing, which may turne to the disherison of the Churches, whereof such auoidances shall happen. Saving to the King & his heires the knights fees, aduowsons of Churches, Escheates, Warres, mariages, relieves, and seruices of the said fees. 14. Ed. 3. 4. 5. pro Clero.

1 For a writ to the Bishop, to certifie Bastardie. S. Bastardie 3. Ablicie 2.

2 What assurances made by Bishops, &c. of their lands shall be good, & what not. S. Ecclesiasticall 6.

3 A Bishop may visite hospitals within his Diocesse. S. Hospitals 1.

4 Bishops may punish Clerks for incontinencie. S. Incontinencie.

5 A Confirmation of certaine grants made by Bishops to K. H. 8. and K. Ed. 6. of certaine Lands. S. Monasteries 29.

6 By what Chapter the B. of Couentries &c. assurances shal be confirmed. S. 33. H. 8. 30.

7 The Bishoprick of Chester and Man, in what Prouince. S. 33. H. 8. 31.

8 By what Charter the B. of Bath and Welles assurances shal be confirmed. S. 34. H. 8. 15.

9 The tenths of the Bishopricks of Chester, Gloucester, Peterborough, Bristol, and Oxford. S. 34. H. 8. 15.

10 A confirmation of an assurance made to the B. of Norwich. S. 39. El. 22.

Bookes.

Bookes
brought from
beyond Sea
bound.

If any person, resident, or inhabiting within this Realme, shall buy to sell againe, any printed Bookes, brought from any parts out of the Realme, readie bound in boords, leather, or parchment, he shal forfeit for euery booke bound out of the Realme.

obeyſance, & brought into this realme, & bound by any perſon within the ſame, to ſell againe, vij. s. viij. d. to the H. and the partie that will ſeiſe oꝝ ſue foꝝ the ſame by A. J. &c. wherein no W. &c. 25. H. 8. 15.

2 If any perſon inhabitant oꝝ reſſant within this realme, ſhall buy within this Realme of any ſtranger boꝝne out of the kings obeyſance (other than of Denizens) any pꝛinted bookes brought from any parts beyond the ſea (exceptonely in groſſe, and not by retaile) he ſhall foꝛfeit foꝛ every booke ſo bought by retaile, vij. s. viij. d. to the H. and the party that will ſeiſe oꝝ ſue foꝝ the ſame by A. J. &c. wherein no W. &c. 25. H. 8. 15.

Bookes brought from beyond Sea bought in groſſe.

3 If any Pꝛinters, oꝝ Sellers of pꝛinted bookes, inhabiting within this realme, doe at any time in ſuch wiſe inhaunce and increaſe the pꝛices of any ſuch Pꝛinted books in ſale oꝝ binding at too high & vnreaſonable pꝛices, in ſuch wiſe as complaint thereof be made to the King, oꝝ vnto the L. Chancelor, L. Treſurer, oꝝ any of the chiefe Juſt. of the one bench, oꝝ of the other, When the ſame Lords &c. oꝝ two of any of them, ſhall haue authoritie to enquire thereof, as well by the oaths of rſ. honeſt and diſcreet perſons, as otherwiſe by due examinations by their diſcretions. And after the ſame inhauncing, and increaſing of the ſaid pꝛices of the ſayd bookes and binding, ſhall be ſo found by the ſaid rſ. men, oꝝ otherwiſe by examination of the ſaid L. Chancelor, L. Treſurer, and Juſt. oꝝ two of them: When the ſame Lords &c. oꝝ two of them at the leaſt, ſhall haue power to refoꝛme and redreſſe ſuch inhauncing of the pꝛices of pꝛinted bookes, from time to time, by their diſcretions, and to limit the pꝛices as well of the Bookes, as foꝝ the binding of them. And ouer that the oſtendoꝝ oꝝ offendoꝝ thereof being conuicted by examination of the ſame Lords &c. oꝝ two of them, oꝝ otherwiſe, ſhall foꝛfeit foꝛ euery booke by them ſold, whereof the pꝛice ſhall be inhaunced foꝛ the Booke oꝝ binding thereof, iij. s. iij. d. to the king and partie grieved, that wil complain vpon the ſame, in maner and foꝛme afoꝛeſaid. 25. H. 8. 15.

The pꝛice of Bookes inhaunced.

1 No Popiſh bookes ſhall be ſold or bought. S. Recufants 78.

Boatmen, Watermen, Barges, Boats, &c.

The Maior and Court of Aldermen of the city of London, at their firſt court of Aldermen holden within the ſaid Citie next after the firſt day of March, ſhall yearly appoint and chuſe 8. perſons, of the moſt wiſe, diſcret, and beſt ſort of watermen, being Houſholders, & occupying as watermen vpon the riuer of Thamife betwixt Graueſend and Windſoꝝ. And the ſame eight perſons ſo elected, ſhall be called the Querſeers and Rulers of all the Wherryemen and Watermen, that after the ſaid firſt day of March, ſhall be oꝝ exerciſe anie rowing vpon the ſaid Riuer of Thamife, betwixt Graueſend and Windſoꝝ: which ſaid Querſeers ſhall keepe good order and obedience amongſt the ſaid Watermen, according to the true meaning of this Statute. And if any perſon elected to be an Querſeer, doe negligently exerciſe his rounth, oꝝ wil obſtinatly reſuſe to take vpon him the ſame, then he ſhall foꝛfeit to the Q. & J. b. l. to be recouered by A. J. &c. wherein no W. &c. 3. P. & M. 16.

Eight Querſeers of watermen.

2 It is lawfull to the ſaid eight Rulers foꝛ the time being, and their ſucceſſoꝝ, from time to time to call befoꝛe them at ſome conuenient place by them to be appointed, all and euery ſuch perſon & perſons which ſhall be the ſaid trade of rowing betwixt Graueſend & Windſoꝝ, and ſhall regiſter the names of euery of them that ſhall be by them allowed oꝝ admitted foꝛ Watermen to row betwixt Graueſend and Windſoꝝ, in a booke made foꝛ the ſame intent, & to take ſuch further order therein with euery of the ſaid parties, as it ſhall ſeeme meete by the diſcretion of the ſaid Querſeers. And alſo the ſaid Querſeers ſhall and may querſee, view, and ſurvey

Querſeers neglecting oꝝ reſuſing their rounth.

Querſeers ſhall order the Watermen and regiſter their names.

Boatmen, Watermen, Barges, Boats, &c.

Duerfers
shall view the
boats before
they be lan-
ched forth.

Examining
complaints.

Reforming
Duerfers.

Two water-
men shall not
row, but wher
one of them is
allowed by the
Duerfers.

No single
man shall be a
waterman.

The length,
breadth, and
goodness of
boats.

Watermen
which hide
themselves
in the time of
pressing.

survey at all times, all Boates and Whiries that shall bee made, before the same be launched out of the yard, or ground, wherein they shall bee made, into the sayd river of Thamise, to the intent that they and everie of them may be made and prepared, in such manner and forme, and according to the goodnesse, proportion, and quantitie in this act limited. And the Mayor and Aldermen of London, and the Justices of Peace within the Shires next adjoining to the River of Thamise, everie of them within their severall iurisdiccions have authoritie upon complaint made to them, or any of them by the said Duerfers, or two of them, or the Mayor, of any servant, not onely to examine, heare and determine all complaints and offences committed by any such person that shall offend contrarie to the true meaning of this act, and to set at large everie such person as shall be imprisoned by the said Duerfers, according to this act, if iust cause shall appeare unto them so to doe, but also by their discretion to punish, correct, and reforme the said Duerfers, & everie of them, that shall uniuersally punish any person by colour of this act. 2. & 3. P. & M. 16 S. Inst. of peace 109.

3 No persons, where two Watermen, and not above two shall row together in any boat, or whirie, in any place betwixt Grauesend and Windsoz, shall receive any person into their Boat, or Whirie, to the intent to carrie him therein, unless one of the same two watermen haue bin so; the most part exercised in rowing upon the said River of Thamise by the space of two whole yeares before that time: And also that one of the same two Watermen at the least be duely admitted and allowed by the same eight Duerfers, or the most part of them by writing, under their knowne seale, to bee a sufficient and able Waterman, upon paine that everie such person presuming or offending contrarie to the true meaning of this act, shall by the said eight Duerfers be committed to prison in one of the Counters of the Citie of London, there to remaine one Moneth, or lesse, as the offence shall require. 2. & 3. P. & M. 16.

4 No person being a single man, not keeping household, and not retained, shall be to row betwixt Grauesend and Windsoz, unless hee be Wrentice, or in service retained with a Master by the whole yeare at the least, upon paine of like imprisonment. 2. & 3. P. & M. 16.

5 If any person shall make any Whirie or Boat, to the intent commonly to be rowing and carrying of people upon the said River of Thamise, which shall not be xxj. foot and a halfe in length, and 4. foot and a halfe broad in the midship, or which shall not be substantially, and well able and sufficient to carrie two persons on one side, tight, according to the old quantitie, skantling, thicknesse of board, goodnesse, and good proportion heretofore had & used: When the same boat being made contrarie to the proportion and sort before expressed, shall be taken as forfeit, and shall be forfeit to the R. and A. to be recovered by A. J. &c. wherein no W. &c. C. P. or J. &c. 2. & 3. P. & M. 16.

6 If any person that shall be the occupation of rowing betwixt Grauesend and Windsoz, which in the time of the execution of any Commission of pressing, that shall be had so; the serving of the Queene, her heires and successors, in their affairs, shall willingly and obstinately hide, or convey himselfe in the same time of pressing, into secret places and out corners, and after when such time of pressing is overpassed, shall returne againe to the said river of Thamise, to row betwixt Grauesend and Windsoz, and that duely proued by two indifferent witnesses before the Mayor of London and Count of Aldermen, or Justices of the peace, and two of the said Alders, then hee so offending, shall suffer imprisonment by the space of two weekes, and be banished any more to row from thence forth upon the said River of Thamise, by the space of one whole yeare and a day then next following. 2. & 3. P. & M. 16.

7 Euerie person authorisid to rowe betweene Grauesend and Windsor, that shall take for his faire and labour aboue the pices assessed by the Maior & Court of Aldermen of London, and viewed, signed, & subscribed with two at the least of the Quenes Priuie Councels hands, and witten, and set vp in Tables at the Guild hall of Westminster hall &c. shall suffer imprisonment one halfe yeare, & also shall forfeit for euerie such offence to the Queen and I. &c. xl.s. to be recovered by A. I. &c. wherein no W. &c. P. & I. &c. for the Maior and Court of Aldermen of London, shall from time to time assess the summes of money that euerie person authorisid to rowe betweene Grauesend and Windsor, shall take for his labour and fare from place to place particularly betwixt Grauesend and Windsor. 2. & 3. P. & M. 16. By the Statute made 6. H. 8. 7. there was established a certaine rate and wages that Watermen shall take for their fare betwixt one place and another neere vnto the Citie of London. But it seemeth that the force of that Statute is taken away by the foresaid branch. Sed Quære. S. 8 El. 13.

What saie Watermen may take.

8 No person occupping any Westerne Barge, shall retaine, take, or receiue in to his seruice, any single person not keeping house, or household, but onely such as shall be retained with him by the whole yeare, & no household, but only such as hee will, or that aunswere for his good behauiour, vpon pain and forfe. to the Q. & I. xl.s. to be recovered by A. I. &c. wherein no W. &c. P. & I. &c. 2. & 3. P. & M. 16.

The seruants of Westerne Bargesmen.

It seemeth that the first part of this branch is repealed by the generall words of the stat. of 5. El. 4. which repealeth all statutes and euery branch of them which touch or concerne the hyring, keeping, departing, working, wages, or order of seruants, workemen, artificers, prentices, and labourers, &c. Sed Quære.

9 No person shall interrupt by any obstacle, let, or otherwise, any person or persons passing or repassing, on and vpon any of the pathes being of a foot and a halfe broad, lying on euerie side of the riuer of Seuerne, & time out of mind accustomed, nor shall aske, take, or demand any toll called a draught, or a bottle of wine, or any other tare or imposition of any of the Kings subiects there going in the said pathes accustomed, there hapling or drauing their boates, troughes, or vessels, vpon paine to forfeit for euerie time that he shall interrupt any of the Kings subiects, or aske, or take any such imposition, by what name soeuer it bee called xl.s. to the King and party grieved, to be recovered by A. I. &c. wherein no W. &c. P. & I. &c. 9. H. 6. 5. 23. H. 8. 12.

Passengers vpon the banks of Seuerne.

10 Whosoever doth take any imposition of any of the Kings liege people, for any Trough, Boat, or other vessel, for any goods or merchandizes caried in & vpon the riuer of Seuerne, or doth bere or interrupt any Boates, Troughes, or vessels so passing by the said Riuer, for any such Imposition, or otherwise against the Lawes, (except such which by decre made betwixt 20. Ianua. Ann dñi 1503. and the Ascension day, Ann domini 1505. by the Kings Councell in the Starre Chamber obtained the same) shall forfeit for euerie such offence xx.l. whereof the King shall haue two parts, & the partie that will sue by popular Action of debt the third part, wherein no W. &c. P. & I. &c. And if it fortune the parties in any such Action to plead to an issue, for any offences committed contrarie to the premises, triable in the Citie of Worcester, or the liberties of the same, Then the same issue to bee tried by xij. men of the Countie of Worcester, not dwelling, ne hauing any lands within the same citie, nor the suburbs of the same. And if the parties aforesaid in any such action plead to an issue, for any offence committed contrarie to the premises triable in the shire of the towne of Gloucester, or in the countie of Gloucester, Then the same issue to be tried by xij. men, of, or in the countie of Gloucester thereunto adioining, not hauing any Lands, ne dwelling within the same Shire of the towne of Gloucester. 19. H. 7. 10.

Imposition of Boats vpon Seuerne.

11 But any person hauing lands or meadowes adioining to the said water of Seuerne

Boatmen, Watermen, Barges, Boats, &c.

Recompence
for hurts done
by Barge-men

Seuerne, may take of euerie person going vpon his lands & meadowes, and dja-
ing any Boat, Trough, or vessell, reasonable recompence for such hurts as hee shall
sustaine by reason of any such going, or dja-ling 19. H. 7. 18. Except of such as shall
passe or repasse vpon any of the pathes of euerie side of the said Riuer, being of a
fot and a halfe broad, or there abouts, and time out of mind accustomed, as is afo-
said. 23. H. 8. 12.

Transporting
offenders into
or forth of
Wales at vn-
lawfull times

12 If any person taking vpon him to haue and keepe any passage vpon the riuer
of Seuerne, do carrie with any Barge, Boat, or other Vessell, any person or per-
sons with horses, mares, kine, oxen, or other cattell, or any other person, befoze the
Sunne rising in the morning, or after the Sunne being set at night, ouer anie of
the said passages out of England into Wales, or the Fozest of Deane, or out of
Wales, or the Fozest of Deane into England, vnlesse the said passenger hath good
knowledge of such person or persons, and euerie of their dwelling places, and vpon
request to him made by any person or persons, doe disclose the name and dwelling
place of euerie such person and persons, so by him conueyed ouer the saide water
to any such person or persons so requiring the same, if suit be made for and after
them vpon any Outcry, Huey, or fresh suit, of, or for any felonie, robberie, murder,
and manslaughter committed, hee shall be imprisoned, and also pay a fine. 26. H. 8. 1.
S. Iustices of peace 81.

Whether wher-
men shall re-
taine seruants

13 So Wherryman, or Waterman that now is, or that hereafter shall be, and
shall row vpon the Riuer of Thamise, and shall transport or carie any passengers or
goods in any Wheries, tiltboats, or barges, (other than Westerne Barges, Mill-
boats, and all other Vessells ordinarie seruing for other vses than the carrying of
passengers) shall retaine or take any Seruant or Apprentice to serue him as a wa-
terman vpon the said Riuer, vnlesse the said wheriman or waterman that so shall
retaine, take, or haue any such seruant, shall haue bene an Apprentice to a whery-
man, or waterman by the space of v. yeares befoze such retaining. And no whery-
man, or waterman that now is, or hereafter shall be vpon the said Riuer of Tha-
mise, shall retaine, haue, keepe, or take any person or persons to serue him to row
vpon the said Riuer as an Apprentice, vnlesse the said person so to be retained, or
to become an Apprentice, shall then be of the age of vij. yeares at the least, and shall
bee retained and bound to his Master to serue vpon the said Riuer, for and during
the terme of vij. yeares at the least, vpon paine that euerie person or persons doing
the contrarie, shall from time to time for euerie such offence forfeit x. l. to the King
and A. to be recovered in any of the R. courts of record, by A. S. B. P. or J. wherein
no W. C. P. or other delay shall be allowed. 1. Jac. 16.

What persons
Wherimen
may retain for
Apprentices.

Whether mens
sonnes.

14 This Act, nor any thing therein contained, shall extend to the Sonne or
Sonnes which now are, or hereafter shall be of any Wherryman, or Waterman
abovesaid, (being of the age of firteene yeares at the least, & of convenient growth
and strength,) that formerly hath been, or that hereafter shall be trained and brought
vp in rowing, or haue, or hath accustomed to row vpon the said Riuer, and there
haue vied, or shall vse to transport or carie passengers from place to place: but all and
euery such sonne and sonnes, shall & may from time to time be admitted and allowed
to serue, and may serue vpon the said riuer, and there transport or carie passengers
from place to place as an apprentice, as heretofore they haue done: Any thing in
this act &c. notwithstanding. 1. Jac. 16.

The Water-
mens Orders
shall be read
twice in the
yeare.

15 The eight Overseers or Rulers of Wherry-men, or Watermen, from hence-
forth twice in euerie yeare, viz. vpon the first day of September, and vpon the first
day of March, shall openly read and publish, or cause openly to be read & published
in the Hall or place of their common assembly, where they vsually either haue, or
hereafter shall appoint to assemble and meete together, all and euerie the Consti-
tutions and Orders already made by them, or that at any time hereafter shall be
made

made by the Duerseers and Rulers, for the good or better ordering or government of the said Wheremen, or Watermen, upon paine that euerie of them shall from time to time for euerie such offence forfeit to the King his heires and successours, five pound thirteene shillings foure pence, whereof one halfe to the King &c. the other halfe to the J. which will sue for the same in any of the Kings Courts of Record, by A. S. B. P. or J. wherein no W. C. or other delay shall bee admitted. 1 Jac. 16.

The for. of Boatmen for carying any Corne &c. to a ship to be transported. S. Corne.

Bowes, Bowstaues.

If any Merchant stranger, or any servant, attornee, or Factor of any of them, which will bring, send, or conuey into this Realme any Merchandize in Caskes, Gallies, or Ship, from the Citie or Countrie of Venice, or any Countrie from the East parts, from the Ierry, Haunce Townes, or from whence any Bowstaues haue bene heretofore brought, doe not bring in the same Ship wherein the Merchandizes bee, for euerie Tun weight of Merchandize foure Bowstaues, hee shall forfeit to the Q. and J. five shillings eight pence for euerie default of bringing euerie Bowstaue, to be recovered by A. J. &c. wherein no W. C. P. 12. Ed. 4. 2. 13. Eliz. 14.

If any Merchant of Venice, or other, shall bring or conuey into this Realme any Palmesey, or Tyre, and doe not bring with euerie Butt of either of them tenne Bowstaues, good and able stuffe, hee shall forfeit vij. s. iiii. d. to the Q. and J. &c. for euerie Butt so brought, and not the said number of Bowstaues with the said Butt. And the said Bowstaues shall not bee sold bargained, but to such persons as bee borne under the R. obedience. 1. R. 3. 17.

If any person under the age of seuentee peares, do shoot in a Bow of Elwe bought for him, hee shall forfeit vij. s. iiii. d. (except his father or mother haue lands or tenements to the perely value of x. l. or be worth in moueables the summe of xl. Markes.) 33. H. 8. 9.

If any Bowyer dwelling within the Citie or Suburbes of London or Westminster, or the Borough of Southwarke, wanteth by the space of twentie daies, fittie good and able Bowes of Elme, Witchhasell, or Ashe, readie made, and meet to be sold and bled, hee shall for euerie Bow so wanting of the aforesaid number forfeit x. s. to the Q. & J. &c. being an Armozer, Fletcher, or Bowstringmaker, to be recovered by A. J. &c. wherein no W. C. P. 8. El. 10. And euerie Bowyer dwelling elsewhere, which doth not for euerie Bow which hee maketh of Elwe, make foure other Bowes of some other Wood apt for shooting, shall forfeit for euerie Bow so wanting to the Q. and J. &c. thre shillings foure pence. 33. H. 8. 9. 8. El. 10. S. Just. of Peace 63.

If any Bowyer doe sell any Bow meet for mens shooting being of outlandish Elwe of the best sort, above the price vij. s. viij. d. of the second sort above iij. s. iiii. d. of the course sort called liuerie Bowes above ij. s. of English Elwe above ij. s. a peere, hee shall forfeit for euerie Bow so sold above the price aforesaid xl. s. to the Q. and J. &c. being an Armozer, Fletcher, or bowstringer, to bee recovered by A. J. &c. wherein no W. C. P. 8. El. 10. 1. Jac. 25. to continue in force untill the end of the first Session of the next Parliament. S. Archerie.

Bowstaues brought into this Realme, shall be searched and marked. S. Corporations 27.

4. Bowstaues brought in for euerie Tun of merchandize.

10 Bowstaues brought in for a Butt of Palmesey or Tyre. Bowstaues garbled.

who may shoot in Bowes of Elwe.

Bowes of Elme, Ashe, Witchhasell.

The prices of Bowes.

Brasse,

Brasse, Latten, Copper, and Bell Metall.

Brasse, Latten, Copper, and Bell Metall.

No Brasse,
Latten, &c.
shalbe trans-
ported.

NO persons shall carrie or conuey, or ship to the intent to carrie or conuey any Brasse, Copper, Latten, Bell Metall, Iron metall, or any other metall, whether it be cleere or mixed (Tin and Lead only excepted) into any part beyond the sea or into any outward dominion, upon paine to forfeit the double value thereof, and for euery thousand weight of the same metall so carried, or shipped to the intent to be caried, to the King and to be recovered by A. B. P. J. &c. wherein no W. &c. &c. 33. H. 8. 7. 2. Ed. 6. 37.

Trial of a
foreigner
within this
Realme.

The arrivall, discharge, and delinerie of the said metalls in any foreign dominion, shall bee tryed and determined within this Realme in such Countie or place where the sayde Mettalls were shipped, or first caried, with like proces and determination as all other informations or actions be tried & adioyged within this Realme, or as the same fact had bin done within this Realme. 33. H. 8. 7. 2. Ed. 6. 37.

He shall be
bound which
carrieth met-
tals to dis-
charge the
same within
this Realme:

Euery person shall ship or carrie any of the said Mettalls prohibited by this Act, to carrie or discharge the same in any part of this Realme, vntill he before the shipping thereof haue declared to the Customier of such Port or Creeke, where the same metall shall be shipped, the true weight of all such metall as shall be shipped, and shall also before the shipping thereof, make a sufficient Obligation in the law, in which he shall be bound to the said Customier to the full value, in such summe as shall amount to the double value, and ten pound for euery thousand weight so declared, with Condition that the same Mettalls shall bee discharged at some port or creeke within this realm, and in no other place, upon paine to forfeit the same. And euery such person that shall ship such Mettalls, and shall bee bound as is aforesaid, shall within eight Moneths next after the shipping thereof, bring a true certificat from the Customier of the port, creeke, or place where he shall discharge the same, testifying that the same metall so shipped and the true weight thereof is there discharged, which certificat the Customier of such place where the said Metall shall be discharged, shall upon discharge thereof make & deliuer to the party so discharging, or to his factor, without any delay. And if the Customier or his deputie doe make a false certificat, concerning the discharging of such metall, then he shall lose his office, and the value of the goods concealed out of the said Certificat. And if any Customier, Comptroller, or his deputie, by any vndue meane will suffer any person, after the metall is shipped or caried, contrarie to the meaning of this Act, to make an Obligation without date, for the discharge and certificat of his metall, then such Customier so suffering or receiuing such Obligation, shall lose his office, and the value of the metall so shipped or caried. And if any Master, owner, purser, or boatswaine of any ship, do willingly permit any of the Mettalls aforesaid to be shipped, contrarie to the tenor of this Act, or else perceiuing any such Metall to bee shipped, doe not disclose the same within three daies after knowledge had, to the Customier, or Comptroller of the same Port, or his Deputie, where the same is shipped, then he shall forfeit the double value of the same Metall to the King and Informer, to bee recovered by A. B. P. J. wherein no W. &c. &c. 33. H. 8. 7. 2. Ed. 6. 37. S. Customs &c. 19.

Customier of
the Port.

Master of the
Ship which
carrieth the
brasse.

If the metall
be drowned,
or robbed.

If the said Metall by tempest of weather be drowned, or by enemies or pirates robbed & spoiled, and that sufficiently proued without fraud before the Customier and Comptroller, or their sufficient deputies, in the port where the parties shipped the Mettalls aforesaid, or any of them, by the said parties or their Executors, then he bringing such sufficient proufe, shall haue his Obligation to him deliuered, or else he and his Executors thereof shall be cleerly discharged. 33. H. 8. 7. 2. Ed. 6. 37.

No person shall lade, ship, or carrie into any part beyond the sea, any of the
 Metals aforesaid, but onely out of such Port or Creeke where the Customier or his
 deputie is resident and dwelling, upon paine of forf. of the said Metall, and x. l. for
 every thousand weight so shipped or carried, to the H. and C. to be recovered by H.
 B. J. ec. wherein no Writ. C. P. ec. 2. Ed. 6. 37.

Where vessels of Brasle shall be sold, of whar goodnesse it shall bee, and whar
 weight shall be thereof vled. S. Pewter 1. 2. 4.

Bridges.

Where it cannot be knowne and pproved what Hundred, Riding, Wapen-
 take, Citie, Borough, Towne, or Parish, nor what person certaine, or bo-
 die politike, ought of right to make Bridges decayed, in everie such case the said
 Bridges (if they be without Citie or Towne corporat) shall be made by the inhabi-
 tants of the Shire or Riding within the which the said Bridge decayed shalbe, and
 if it be within any Citie or Towne corporat, then by the inhabitants of everie such
 Citie or Towne corporat. And if part of any such Bridges be in one Shire, Ri-
 ding, Citie, or Towne corporat, and the other part thereof in another Shire, Ri-
 ding, Citie, or Town corporat, or if part be within the limits of any City or Town
 corporat, and part without, or part within one Riding, and part within another,
 then the inhabitants of the Shires, Ridings, Cities, or Townes corporat, shall bee
 charged to make and repaire such part of such Bridges so decayed, as shall lye and
 be within the limits of the Shire, Riding, Citie, or Towne corporat, wherein they
 be inhabited at the time of the same decayes. 22. H. 8. 5.

In every such case where it cannot be known and pproved what persons lands,
 tenements and bodie politike, ought to make & repaire such bridges, the J. of peace
 within the Shires or Ridings wherein such decayed bridge be, out of Cities and
 Townes corporat, and if it be within Cities or Townes corporat, then the Justices
 of peace within everie such Citie or Towne corporat, or four of the said Justices
 at the least, whereof one to be of the Quorum, have power within the limits of
 their severall Commissions, to call before them the Constables of every Town and
 Parish within the Shire, Riding, Citie, or Towne corporat, as well within Liber-
 ties as without, wherein such Bridges or any parcell thereof shall happen to be, or
 also two of the most honest inhabitants within every such Towne or Parish, ec. by
 the discretion of the said Justices ec. and upon the apparance of such Constables or
 inhabitants, the said Justices, or four of them, whereof one to be of the Quorum,
 with the assent of the said Constables or inhabitants, have power to take, & set every
 inhabitant in everie such Citie, Towne, or Parish, within the limits of their Com-
 missions, to such reasonable aide and summe of money as they shall thinke sufficient
 for the reedifying and amending of such Bridges: and after such taxation made,
 the said Just. shall cause the names and summes of every particular person so by
 them taxed, to be written in a roll indented. 22. H. 8. 5.

And the Just. of P. have power to make two Collectors of everie Hundred,
 for collection of al such summes of money by them taxed, which Collectors receiving
 the one part of the said Roll indented under the seales of the said Justices, shall have
 power to collect all the particular summes of money therein contained, and to di-
 straine everie such inhabitant (as shall be taxed, and refuse payment thereof) in his
 lands, goods, and cattels, and to sell such distresse, & of the sale thereof retaine and
 receive all the money taxed, and the residue (if the distresse be better) to deliver to the
 owner thereof. 22. H. 8. 5.

And the same Justices, or four of them, within the limits of their Commis-
 sions, have power to appoint two Surneyors, which shall see everie such decayed
 Bridge repaired:

No Metall
 shalbe laden
 but where
 there is a
 Customier.

A remedie
 where it is
 not knowne
 who ought
 to repaire
 Bridges.

The inhabi-
 tants of the
 Shire taxed
 for the amend-
 ment of decay-
 ed Bridges.

Collectors of
 every Hun-
 dred.

Surneyors
 which shall see
 the Bridge
 repaired:

Bridges

Collectors &
Surveysors
account.

Bridges repaired from time to time as often as need shall require, to whose hands the said Collectors shall pay the said summes of money taxed and by them received, and everie of the Collectors and Surveysors, their executors and administrators, from time to time shall make a true declaration and account to the Justices of P. of the Shire, Kiding, Citie, or Towne corporat, wherein &c. or to foure of the same Just. whereof one to be of the Quorum, of the receipts, payments, and expences of the said summes of money. And if they or any of them refuse that to doe, then the same Justices of peace, or foure of them have power to make Procces against the said Collectors, Surveysors, &c. and everie of them, by Attachments under their seales, returnable at the general Sessions of the peace: and if they appeare, then to compell them to account as is aforesaid, or else if any of them refuse that to do, they to commit him to ward, there to remaine without baile or mainprise, til the said declaration and account be truly made. And the Just. of peace, or foure of them, have power to allow such reasonable costs and charges to the said Surveysors and Collectors, as by their discretion shall be thought convenient. 22. H.8.5.

Procces against the parties in another Shire which should repaire the Bridges.

5 And where any Bridge or Bridges lie in one Shire or Kiding, and such persons inhabitants, bodies politicke, lands or tenements which ought to be charged to the making and amending thereof, lie and abide in any other Shire, or Kiding, or where such Bridges beene within any Citie or Towne corporat, and the persons inhabitants, bodies politike, lands or tenements that owen to make or repaire any such Bridges, lye and be out of the said Cities or Townes corporat: In everie such case the Justices of peace of the Shire, Citie, or Towne corporat within the which such decayed Bridges or any part thereof shall be, have power to enquire, heare, and determine all such annoyances being within the limits of their Commissions: And if the annoyance be presented, then to make procces into every Shire within this Realme, against such as owen to make or amend any such Bridges, so presented befoze them to be decayed, to the annoyance and let of the passage of the Kings subiects: And to do further in every behalfe in every such case as they might doe by authoritie of this Act, in case that the persons, lands, &c. which owen to be charged to the amending or making of such Bridges, or any part thereof, were in the same Shire, Kiding, Citie, or Towne corporat, where such annoyance shall happen to be. 22. H.8.5.

Five Ports.

6 This Act shall not be prejudiciall to the libertie of the five Ports, or members of the same, for reformation of annoyances of Bridges within the same Ports and members: But the Wardens, Batozs, and Bailifes elected, and Jurates of the same Ports, and everie of them, have power to enquire, heare, & determine all manner of common annoyances of Bridges within the same Ports and members, and to make such procces, paines, sarations, and all other things within the same Ports and members, as the Justices of peace may do in other Shires or place out of the same Ports, by vertue of this Act in every behalfe. 22. H.8.5.

Bridges decayed and the highway thereunto adjoining.

7 Justices of peace, or foure of them at the least, whereof one to be of the Quorum, have power to inquire, heare, and determine in their general Sessions, of al annoyances of Bridges broken in the highwaies, and of all annoyances of highwaies which lye next adjoining to the ends of the Bridges, and 300. foot from the same distant, and to make procces and paines against such as ought to be charged &c. And to do in every thing, concerning the making, repairing, & amending of everie such highway, in as large maner as they may do, for the making, repairing, and amending of Bridges, by this Act. 22. H.8.5.

Serving Procces.

8 All Sherifes and Bailifes of Liberties and Franchises, shall truly serve and execute such procces as shall come to their hands from the Justices of peace befoze whom any presentment shall be had, for any annoyance of Bridges, according to the tenor and effect of the said procces to them directed, without favour, affection, or

corruption, upon paine to make such fine as shall be set upon them, or any of them, by the said Justices. 22.H.8.5. S.Iust.of peace 70.

1 No village, or free man, shall be distrained to make any Bridges, but such as are wont to doe it. S. Weares 1.

2 Eden and Prestbeeke Bridges in the counties of Cumberland. S.43. El.16.

3 Newport and Carlion Bridges in the countie Monmouth. S.39. Eliz.23.

4 Wilton Bridge in the countie of Hereford. S.39. Eliz.24.

5 Rochester Bridge in the county of Kent. S.9.H.5.12.18.El.16.27.El.25.

6 Burford and Culhamford Bridges in the countie of Oxford. S.8.H.6.28.

7 Stany's Bridge in the countie of Middlesex. S.1.H.8.9.

8 Chepstow Bridge in the countie of Gloucester and Monmouth. S.18.Eliz.17.

3.Iac.23.

9 Cardiffe bridge in the countie of Glamorgan. S.23.Eliz.11.

10 The Bridge by Vpton vpon Seuerne. S.3.Iac.24.

Brokers.

No sale, exchange, pawne, or mortgage, of any Jewell, plate, apparell, household stuffe, or other goods, of what kind, nature, or qualitie soener the same shall be of, and that shall be wrongfully or unlawfully purloyned, taken, robbed, or stolne, from any person or persons, or bodies politike, and which at any time hereafter shall be sold, uttered, delivered, exchanged, pawned, or done away, within the Citie of London, or Liberties thereof, or within the Citie of Westminster in the Countie of Middlesex, or within Southwarke in the Countie of Surrey, or within two miles of the Citie of London, to any Broker or Brokers, or Pawne takers, by any way or means whatsoever, directly, or indirectly, shall work or make any change or alteration of the proprietie or interest, of, and from any person or persons, or body politike, from whom the same Jewells, plate, apparell, household stuffe, or goods, were, or shall be wrongfully purloyned, taken, or stolne: any law, custome, &c. notwithstanding. 6.Iac.21.

The sale of goods wrongfully gotten.

2 If any person or persons, or bodies politike, from whom any Jewells, Plate, apparel, household stuffe, or any kind of goods whatsoever, shall be wrongfully purloyned, taken, stolne, or robbed, shall require and demand of any Broker or Pawn taker, to declare whether any such goods be come to his or their possessions, & to declare, shew, and manifest, the same, & how & by what meanes he had them, or came by the same, & how, when, & to whom he hath delivered, conveyed or bestowed and employed the same: And such Broker upon any such request & demand to be made, shall denie, & refuse to disclose, tell or manifest the same truly and lawfully, shall forfeit to the true owner or owners of such Jewells, plate, apparell, household stuffe, & other goods, from whom the same were wrongfully purloyned, taken, stolne, or robbed, double the value thereof that shall be denied & refused to be disclosed, told, & manifested, as aforesaid: The same double value to be recovered by the true owner or owners of such goods, from whom they were wrongfully purloyned, stolne, &c. to be recovered by Action of debt, B. or P. in any of the B. Courts of Record at Westm. or within the Citie of London, wherein no C. M. or P. shall be allowed. 1.Iac.21.

A Broker shall declare what stolne goods be come to his hands.

3 This Act shall not be prejudiciall to the ancient trade of Brokers, within the Citie of London, using and exercising the ancient trade of Brokers between merchant and marchant, or other traders or occupiers within the said Citie and the Liberties of the same being selected out of Companies whereof they are free and members, according to the ancient custome of the said Citie. 1.Iac.25.

The ancient trade of Brokers.

1 For Brokers in buying of Wooll. S. Wooll 10.

2 For Brokers in vsurious bargaines. S. Vsurie 7.

C c ij

Brewer.

Brewer. Buggerie. Burning.

Brewer.

No Brewer
shall be a
Cooper.

If any Brewer, which breweth Beere, or Ale, to sell, shall by himselfe, or other to his use, occupie the mystery of Coopers, or make Barrels, Bolderkins, Firkins, or other vessels of wood, by himselfe, or any of his own servants, wherein to put his Beere or Ale to sale, he shall forfeit for everie vessel made contrarie to the tenor of this Act, iiij. s. iij. d. to the King and J. to be recovered by A. J. &c. wherein no W. C. P. &c. But a Beere Brewer, or an Ale Brewer, may keepe in his service a Cooper, to binde, hewe, pinne, and Amend his vessels. 23. H. 8. 4.

The prices of
Ale & Beere.

2 If an Ale or Beere Brewer do sell or take for any Barrel, Bolderkin, or Firkin of Ale or Beere, above such prices and rates as shall be assessed by the Justices of P. in the Shire, or by the Mayor, Sherife, or head Officer of the Citie, Borough, or Towne Corporate, where the said Ale or Beere Brewer doth dwell, he shall forfeit for everie Barrel so sold vij. s. for everie Bolderkin iij. s. iij. d. for everie Firkin ij. s. for everie lesse vessel xij. d. and for a greater than a Barrel x. s. to the K. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 23. H. 8. 4. Stat. of Peace. 78. Corporations 10. Coopers 1. 2. 4. &c.

Buggerie.

Buggerie.

The offence of Buggerie from henceforth shall be adjudged felony, and such order and forme of Proces therein shall be used against the offenders, as in cases of felonie at the Common Law. and the offenders being thereof convicted by verdict, confession, or outlawrie, shall suffer such paines of death, and losses and penalties of their goods, cattels, debts, lands, tenements, and hereditaments, as Felons bin accustomed to doe according to the order of the Common Lawes of this Realme. And no person offending in any such offence shall be admitted to his Clergie. And the Justices of Peace shall have power & authoritie within the limits of their Commissions and Jurisdictions, to heare and determine the said offence, as they doe use to doe in cases of other felonies. 25. H. 8. 6. 5. Eliz. 17.

Burning.

Burning of
another mans
goods or
woods.

Whosoever doth maliciously, willingly, and unlawfully, burne, or cause to be burned, any Mainie, or Cart, laden with another mans goods, or any heape of wood of any other persons, prepared and felled for making of coals, billets, or tallwood, shall forfeit to the party grieved treble damages, to be recovered by action of Trespasse, and to the King r. p. for a fine. 37. H. 8. 6.

No burning
of Ling,
Heath, &c. in
certaine
Counties.

2 From and after the last day of July next ensuing the ende of this Session of Parliament, it shall not be lawfull for any person or persons whatsoever, in the monthes of April, May, June, July, August, and September, nor in any of them, to raise, kindle, or begin, or cause or practise to be raised, kindled, or begun, any fires or Poore-burnings, in the Counties of Yorke, Durham, Northumberland, Cumberland, Westmerland, Lancaster, Darbie, Nottingham, & Leicester, or in any of them, for burning of ling, heath, hather, furres, gose, turfes, searne, whins, brym, or the like, neither to assist, further, nourish, nor continue the same. And that all and every person and persons which from and after the last day of July, shall offend contrarie to the true intent and meaning of this Statute, the same offence being proved by confession of the partie, or by the testimonie of two sufficient witnesses upon oath, before one or more Justices of the Peace of the same Countie, Citie, or Towne Corporate, where the offence shall be committed, or the person or persons offend

offending, apprehended, shall be by the said Justice or Justices of the peace, for every such offence committed to the common Gaole of the Countie, Citie, or Towne corporate, where the offence shall be committed, or the person or persons offending, apprehended, there to remaine for the space of one moneth, without baile or mainprize. And all and every person and persons, which shall be so convicted, and imprisoned as aforesaid, shall not be enlarged from their said imprisonment, but shall there remaine after their said moneth expired, without baile or mainprize, until such time as every such offender respectively shall pay, or cause to be paid, to the Churchwardens, or unto the Overseers of the poore of the Parish, or place where the same offence shall be committed, or the offender or offenders apprehended, or unto some of them, to the use of the poore of the said parish or place where the said offence shall be committed, the summe of xx.s. for every such offence committed or done contrarie to this Act. 7. Jac. 17. This Act to continue until the end of the first Session of the next Parliament.

Butchers.

If any person being a Butcher, and using the myserie of Butcherie, shall buy any fat Oren, Steeres, Kents, Kine, Heifers, Calves, or Sheepe, and sell, or cause to be sold the same againe on lye, he shall forfeit to the king and I. the same Oren, Steeres, &c. bargained or sold, to be recovered by A. J. &c. wherein do W. C. P. &c. But every person being a Butcher, and using the myserie of Butcherie, shall and may at his pleasure buy any fat oren, Steeres, Kents, Kine, Heifers, Calves, and Sheepe, or any of them, out of any open Faire or Market, so that he sell not, nor cause the same to be sold againe on lye. 3. & 4. Ed. 6. 19. 1. Jac. 25. To continue to the end of the first Session of the next Parliament.

A Butcher shall not buy cattel and sell them alyne.

2 If any Butcher, or other person inhabiting within this Realme, Wales, or the Marches of the same, do kill, or cause to be killed, any Weanling, Bullocke, Steere, or Heifer, being under the age of two yeares, to the intent to sell the same whole, or by retaile, he shall forfeit to the King and Informer for every such weanling killed, and put to sale, viij.s. to be recovered by A. J. &c. wherein no W. C. P. &c. 24. H. 8. 9. 1. Jac. 25. To endure to the end of the first Session of the next Parliament.

Butchers shall kill no weanlings.

3 No Butcher or his servant shall kill any beast within the scalding house in London, or within the wall of London, upon paine to forfeit for every Dre ry. d. and for every Cow and other beast viij. s. to the B. & him that will sue by A. of debt, wherein no C. P. &c. And this Act extendeth and shall be observed in every Citie, Borough, and Towne walled within England, and in the Towne of Cambridge (the Townes of Berwicke and Carlile excepted) 4. H. 7. 3.

Butchers shall not kill cattel within any walled towne.

4 A Butcher that selleth Swines flesh mewed, or flesh dead of the Poxe in (after he shall be convicted thereof) for the first time he shall be grievously amerced, the second time he shall be indged to the Pillorie, the third time he shall be imprisoned and make fine, and the fourth time he shall forfeit to the Towne. And in this manner shall it be done of all that offend in like case, as of Cookes that seeth flesh or fish any waies that is not wholesome for mens bodie, or after that they have kept it so long that it loseth the natural wholesomnesse, then seeth it againe and sell it. 5. 1. H. 3. 3. 1. Edw. 1.

A Butcher shall not sell mewed nor more in flesh.

Cookes.

1 Butchers shall not gash any hids. S. Leather 1.
2 Butchers shall not conspire to sell their victuals at certaine prices. See Artificers 1.

3 A Butcher shall not kill a calfe vnder 5. weekes old. S. Leather 2.

4 A Butcher shall not be a Tanner. S. Leather 3.

C c liij.

But-

Butler of the King. Butter &c. Buttes. Cables, &c.

Butler of the King.

The K. Butler shall take no more wines than shall be appointed.

The Steward of the K. house, and Treasurer of the Wardrobe, shall send to all the Ports of England where wines be to be taken to the Kings use, the certaine number which the Butler shall take in every part, so that nothing be taken over that number: And the Mayor & Bailiffs of the said Ports shall certifie the said Steward and Treasurer, of the number of all the tunnes so taken by the Butler, or his Lieutenant, vnder the seale of the said Mayor and Bailiffs, by Indentures made betweene them and the takers of the said wines. And in case that it be found that the Butler or his Lieutenant take more, or take reward of any, or delay any by colour of his office, or by arrest, he shall make gree to the partie of double, and shall be put out of his office, and shall be imprisoned, and punished at the K. pleasure: and the King shall appoint his Justices whom it shall please him, to inquire of these matters. And the Butler shall answer as well for his Deputies as for himselfe, where they be not sufficient. 25. Ed. 3. 21.

2 The Kings Butler, nor none of his Lieutenants, shall buy, imbrace, or take by colour of their office, nor in other maner, to their proper use, nor of others, more wines for the Kings house & expences, then they haue in commaundement, vpon paine of imprisonment of their bodies, and to be punished at the Kings pleasure. And as much as they shall take by force of the said warrant, shall be taken within ten daies, and that being done, the Marchants of the said wines may, and it shall be lawfull for them, of the residue of the said wines to make their profit, notwithstanding any arrest made vpon such wines by the Butler, or any of his Lieutenants aforesaid. 43. Ed. 3. 3.

1 The Lieutenant of the Kings Butler shall make no Deputie. S. Customers.

Butter and Cheese.

Butter and Cheese bought to be sold againe.

If any person do buy to sell againe, any Butter or Cheese, vnlesse he sell the same againe in open Shop, Faire, or Market, and not in grosse, but by retaile (that is to say, a weigh of Cheese, or a barrell of Butter, or lesse quantitie, and not above, sold at one time) or except he be an Inholder or Retailer, which uttereth the same butter or cheese by retaile in his house, he shall forfeit to the King and J. double the value of the butter and cheese so sold, to be recovered &c. wherein no W. C. D. 3. & 4. Ed. 6. 21. 1. Jac. 25. To endure to the end of the first Session of the next Parliament.

1 No Butter or Cheese shall be transported to any forreine Region without licence. S. Corne 1.

2 For the weight of a Wey of Cheese. S. Weights 6.

Buttes.

The inhabitants in euery Citty, Towne, and place, are compelled to make and continue Buttes, vpon paine to forfeit for euery three moneths so lacking 11. s. And the said Inhabitants shall exercise themselves with long bowes, in shooting at the same, and elsewhere, on holy daies, and other times conuenient. 33. H. 8. 9. S. Iust. of peace 63.

Cables, Halsers, Ropes.

Hemp growing within 5. miles of Burport shall be sold there.

No person or persons dwelling or inhabiting within the distance of five miles from the Towne or Borough of Burport in the Countie of Dorset shall sell,

or cause to be sold out of the Market, holden and to be holden within the same towne and borough of Burpozt, to any person or persons, any hempe which shall happen to grow within the said five miles in distance from the said towne or borough, upon pain of forfeiture of the said hempe so sold, or to be sold in any place or places within the distance of the said five miles out of the said towne, borough, or market, contrary to the forme & effect of this stat. The one halfe of which forfeiture shalbe to the B. the other to the T. to be recovered by action of debt, bill, or information, wherein no *W. C. P. &c.* 21. H. 8. 12.

2 No person or persons, other than such which shall dwell and bee Inhabitants within the said towne of Burpozt, shall make out of the said towne, any cables, halfers, ropes, traces, halters, or any other tackle made of hempe in any other place or places within the said distance of v. miles from the said towne, upon pain of forfeiture of the same cables, halfers, &c. made & to be made contrarie to the forme and effect of this stat. to the B. & T. to be recovered by A. B. T. wherein no *W. C. P. &c.* provided, that euerie person dwelling within the said distance, may make cables, halfers, ropes, traces, and other tackle for their own vse and occupation, but in no wise against this act. provided alwaies, that xx. pound weight shall bee accounted to the stone. 21. H. 8. 12. 1. Jac. 25. To continue in force to the first session of the next parliament.

Cables and Cables of Hempe shall be made in Burpozt.

20 lb. of hempe a stone.

3 If any person or persons shall make or cause to be made any cables of any old and ouerwozne stuffe, which shall containe aboue vy. ynches in compasse: then euery person so offending shall forfeit foure times the value of euery such cable so by him or them made, or caused to be made, as is aforesaid. 35. El. 8.

Cables of old stuffe aboue 7. ynches.

4 If any person or persons shall tarre or cause to be tarred any halfers, or other Cordage made within this realme, of such old and ouerwozne stuffe, as is aforesaid, being of lesser assise, and not containing in compasse 7. ynches, and shall after by way of retaile, sell, or put to sale, or cause to be sold, or put to sale the same being so tarred: Euerie person so offending, shall forfeit the treble value of euery cable, halser, and other cordage, being of lesser assise, and made of such old and ouerwozne stuffe, as is aforesaid, which shall be so sold, or put to sale, being tarred as aforesaid, to the B. and T. to be recovered by A. B. P. or T. wherein no *C. P. or W. &c.* And furthermore, euery person which shall in any wise offend against the tenor and meaning of this Act, shall be imprisoned for the same during her Maiesties pleasure. 35. Eliz. 8.

Cables of old stuffe vnder 7. ynches

Imprisonment.

Captaines, Souldiers, Musters,

If any Souldier seruing the King in his Warres, in any his Dominions, or on the Sea, beyond the Sea, or in Scotland, doe sell, giue away, or wilfully purloine, or otherwise exchange, alter, or put away any Horse, Gelding, or Mare, or any Harneis wherewith he shall be set forth, then he (upon due prooue of testimony to be taken before the Lieutenant, high Admirall, the kings Deputie, Vice-Admirall, Mardein, or Captain, and in their Absence before any of their Deputies) shall be imprisoned by the same Lieutenant, or any other before named, there to remaine without bayle or mainprise, untill he hath satisfied to the owner of the Horse, Gelding, Mare, or Harneis, so by him sold, purloyned, exchanged, &c. (And also the said sale made by such Souldier to any person knowing him to be a Souldier, shall be void against him that set forth the said Horse, Harneis, and weapon. 4. & 5. P. & M. 2.) And if such Souldier so offending, fortune to escape from the Lieutenant, and other the foresaid persons, without the punishment and restitution aforesaid: Then the same Souldier upon complaint made by the partie griened, or his executors, or administrators, upon due prooue thereof to be made, to any Justice or Justices

Souldier making away his Horse or Harneis.

Captaines, Souldiers, Musters.

Offices of peace in the parts where such souldier shalbe found, shall be by such Justice &c. committed to ward, there to remaine without baile or mainprie, untill he hath satisfied the partie grieved, his executoys or administratoys, of, or for such hoves, geldings, mares, and harnes, so by him wilfully lost, exchanged, &c. 2. Ed. 6. 2. S. Just. of Peace 84.

If the hove or armour be lost in service, or appointed to another.

He to whom the hove or armour is assigned, shall satisfy the owner.

A souldier or gunner departing from his captaines without licence.

A captaine licensing a souldier to depart.

A captaine both discharge one appointed to serve.

A captaine demanding more wages than there is cause.

2 But if the said souldier bring any sufficient warrant or testimony before the said Justice, from the said Lieutenant, or any of the persons above named, in writing under the seale of any of them, testifying that the same hove or harnes were lost in the R. service against the wil of the said souldier, or that the same hove or harnes were taken by the same Lieutenant, or any of the others before named from the same souldier for any reasonable respect, and appointed to some other to serve in the place of the said souldier, then every such souldier not bringing to the owner the said hove and harnes, shall be discharged thereof against the said owner: And then every such souldier, to whom the said hove or harnes shall be appointed, as is aforesaid (not bringing home to the owner the said hove and harnes after he shall be discharged) shall suffer like paine as aforesaid. 2. Ed. 6. 2.

3 If any Souldier, man of Armes, or Archer, which hath taken parcel of his wages of his Captaine, hath mustred, and is entred of record the R. souldier (or any Hariner or Gunner, taking prest or wages to serve the Qu. her heires or successors on the Sea. 5. Eliz. 5. 1. Jac. 2. 5.) doth not passe the Sea, or goe with his Captaine (except notorious sickness or impediment by Gods visitation doth stay him, which he shall immediatly certifie to his Captaine, and repay his money) or else being in the enemies Country in garrison, or elsewhere in the Kings service where he is appointed to serve, doth depart without licence of the R. Lieutenant, Deputie, High Admiral, Vice-admiral, Warden, Captaine, or in their absence, of their deputies, then he shall be taken, judged, and executed as a felon. 18. H. 6. 19. 2. Ed. 6. 2. 4. & 5. P. & M. 3.

4 If any Captaine appointed to have the order of any number of souldiers, under any other higher Officer, do for any cause licence any souldier in his retinue, to part from the field or fortresse where they shall be appointed to serve, without the speciall assent and licence in writing, of the Lieutenant, Deputie, High Admirall, Vice-Admirall, Warden, Captaine, or in their absence, of their Deputies, he shall forfeit to the king for every such souldier so licensed to depart xx. l. to be levied of his goods and chattels. And if any Captaine do give to any of his souldiers appointed to serve under him in any Towne or fortresse kept with garrison of souldier, any licence or passport to depart from his service, but onely the Lieutenant or others before named, the Captaine and souldiers so offending shall be imprisoned at the discretion of the said Lieutenant or others &c. 2. Ed. 6. 2.

5 If any Commissioner or Captain, to whom the King shall direct his commandement by Commission, or Letters, for the leuying or setting forth of any men to serve in his warres, shall for any reward or lucre discharge any person by him appointed to serve the R. as Captaine, Souldier, or Pionier, of his service so appointed, and do assigne any other person in his stead, for any lucre or gaine, then he so offending shall forfeit to the King for every such default, of every man so discharged xx. l. to be levied of his goods and chattels. 2. Ed. 6. 2.

6 If any Lieutenant, Deputie, Admirall, Warden, Captaine, &c. having the order of any number of souldiers, serving upon the Sea or Land, doe demand, receive, or take of the King, or any of his Treasurers, any wages for any more souldiers then served in such manner and soime as the wages was payed for, or for any more daies then such souldier served, and doe not note the day of every souldiers entrie into wages, and day of his death and departure, & deliver the same to such Treasurers as shall pay the said wages everie moneth, in writing so as

the truth of the number of the Souldiers may appeare to the kings Treasurer, and Master of the Musters, for the time being: Then euery such Lieutenant, Deputie, Admirall, &c. so offending, shall forfeit to the K. for euery such default v. l. and bee imprisoned for the space of a moneth, and lose his office and countie. But no Lieutenant or other person aforesaid, shall be charged or prejudiced for lacke of his number retained, for, or concerning any Souldier which shall happen to die during his seruice, or to be sicke by the visitation of God, or that shall depart against the will of his Lieutenant, or &c. vnllesse it shall be in default of any of them. 2. Edwardi 6. 2.

7 This Statute is not prejudiciall to the Lieutenant, or any other the said persons, or any other, nor any of them, hauing vnder them retinue of Souldiers, for not paying the Kings wages to their household seruants, and other to whom they will dayly finde and giue meat and drinke, during the said seruice of warre, or for detaining any part of any of the souldiers wages, toward or for the payment of victuals, harnais, weapons, or for any prest mony prouided and deliuered to any such Souldier. 2. Ed. 6. 2.

Retaining of
wages.

8 It is lawfull to euery Lieutenant, Deputie, Admirall, &c. to retaine in his owne hands, to his owne vse, of the wages of his Souldiers, these summes following, that is to say, vi. s. viii. d. for the Liuerie or Coat of euery Yeoman Souldier, xii. s. iij. d. for the Liuerie or Coat of euery Gentleman Souldier, for a whole yeare. 2. Ed. 6. 2.

Causes to re-
taine the sould-
iers wages.

9 This Statute doth not charge any person for the receiuing of any gift or reward of any of his tenants or friends, towards the aid, helpe, or reliefe of the same person, being commanded by the King to serue in warres, or otherwise to finde men on horsebacke or on foot, as well within this Realme as without, nor for the gift, reward, aid, or helpe reserved, or covenanted to be paid or giuen to any person appointed to serue in warres, or to finde horse or men to serue, by reason of any graunt, covenant, reservation, custome, or tenure. 2. Edw. 6. 2. But no person shall by colour hereof exact, demand, or leuy any summe of money, horse, armour, or other thing, other then shall be employed forthwith in the present seruice of those warres of the Quene, for which it was leuied: the which summe of money, horse, armour or other thing, or as much thereof as shall not be spent, lost, or consumed in the said seruice, shall be restored to such person as paid and deliuered the same, vpon the penalties and forfeitures aforesaid. 4. & 5. P. & M. 3. Quere what these for-
feitures be.

Reliefe of
friends or te-
nants toward
seruice in war

Quere.

10 If a Lieutenant of an Armie doth not in euery field vnder his charge, pro-
claime the whole effect and contents of this Act, euery moneth, and euery of the K. Deputies and Captaines of any Fortresse, proclaime it within his charge once e-
uery quarter of a yeare, he so offending shall forfeit v. l. 2. Ed. 6. 2.

Proclamation
of this Act.

11 Euery person giuing to the Lieutenant, or the others aboue named, true in-
formation of any offence aboue remembred, shall haue for his labour one monethes
wages of him that shall be found faultie, to be paide by the hand of the Treasurer;
vpon warrant of the Lieutenant, or &c. 2. Ed. 6. 2. 4. & 5. P. & M. 3.

The reward
of the Infor-
mer.

12 If any person which shall be commanded, generally or specially, to muster
before any such as shall haue authoritie or commaundement for the same by or from
the Quene, her heires or successors, or by any Lieutenant, Warden, or other per-
son authorized for the same, doth willingly absent himselfe from the same Muster,
hauing no true and reasonable excuse of sicknesse, or other lawfull impediment, or
at his apparance at such Musters, doth not bring with him such his best furniture,
array, and armour, as he shall then haue for his owne person in a readinesse, he shall
for euery such offence suffer ten dayes imprisonment, without baile or mainprise,
by the commaundement of such as shall haue authoritie to take the same Musters,
vnllesse

Absenting frō
the Musters,
or not bring-
ing his best
furniture.

Captaines, Souldiers, Musters.

vnlesse he doe agree with the said Commissioners, or two of them, to pay to the vse of the Queene &c. for euerie such offence fortie shillings for a fine, which fine after the agreement for the payment of the same, shall be certified and estreated into the Exchequer, by such as haue power to take the said Musters, or two of them vnder their Seales, within two monethes next after such agreement, and then shall be leuied as fines assessed by Iustices of Assise or Gaole deliuerie in their circuits are bled to be. 4. & 5. P. & M. 3.

Dwellers in Cities that be mustered only within the same.

13 No person inhabiting within any Citie, Borough or Towne corporate, being a Countie of it selfe, or in which any Iustices of peace be, or hereafter shall bee by Charter, shalbe compellable by vertue of this Act, to make his appearance with such furniture as is aforesaid, at any Muster to be had or taken out of the suburbs, precinct, or liberties of the same Citie, Borough, or Towne, nor before any person or persons authorized by Commission, or otherwise, as is aforesaid: vnlesse the Mayor or other head Officer of such Citie, Borough, or Towne, and one other discreet inhabitant of the same at the least, be ioyned in the same Commission or other authoritie with the same person or persons so authorized. 4. & 5. P. & M. 3.

Muster Masters taking reward to discharge others.

14 If any person which shalbe commanded by the Queene, her heires or successors, by Commission, Letters, or otherwise authorized to leuie, Muster, or make any men to serue in her wars, or otherwise for the defence of this realme, doe by any meane exact, leuie, receiue, or take, or cause to be taken any money or other reward or thing whatsoever of any person for seruice in the wars, or that shalbe appointed, named, or mustered to serue in any such seruice, or for the sparing or discharging of such person from the said seruice, then he shall forfeit ten times so much as he shall receiue, exact, or take, to the Q. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. But this Act doth not take away or discharge any tenant or farmer of his seruice or covenant towards his Lord, for the finding of horse, armour, or weapon, or for doing of seruice by himselfe, or by any other (which by the tenure of his land otherwise he is bound to do) but he shall do, yeeld, and pay the same &c. as before he should. 4. & 5. P. & M. 3. No man shall be constrained to finde men of Armes, Bowlers, or Archers, sauing they which hold by such seruice, if it be not by common assent or grant made in Parliament. 25. Ed. 3. 8.

The tenants seruice to his Lord.

A Captaine both licence his souldiers to depart, or both not pay their wages.

15 If any Captaine, petit Captaine, or other hauing charge of men for seruice in warre, shal for any aduantage or gaine by him to be receiued, discharge or licence any of the men or souldiers (appointed to serue in the warre vnder his rule or order) to depart from the same seruice, or shal not pay vnto his souldiers and to euerie of them, their full and whole wages, conduct and coat money, within tenne daies next after he shall haue receiued the same, then the partie offending in giuing such licence or discharge, shall forfeit for euerie such offence ten times the value of the thing so receiued to the Queene and J. to be recovered by A. J. wherein no W. C. or P. &c. and shall also pay to euerie such souldier from whom hee shall withhold any such wages, conduct, or coat money, treble the summe so withholden. 4. & 5. P. & M. 3.

By whom offences shall be reformed.

16 If any offence towards Captains, petit Captaines, or other, hauing charge of men, shall be committed during the time that any Army or number of men, being vnder a Lieutenant, shalbe assembled, and continue together, or by any Captaine, &c. that shall serue any Lord Warden, or other Chiefetaine, then vpon complaint therof, the Lord Lieutenant, Warden, or other Chiefetaine, during the time of his Commission, shall and may heare, order, and determine the same offences by his or their discretions. And if any Captaine, petit Captaine, &c. shall bee once convicted or ordered by vertue of this Act, for any offence aforesaid, he shall not bee afterwards vexed, troubled, sued, or conuicted for the same offence. 4. & 5. P. & M. 3. S. Iust. of peace 26. Lects 10.

An offence but once punished.

17 Every Parish within this Realme of England and Wales, shall be charged to pay weekly such a summe of money towards the reliefe of sicke, hurt, and maimed Souldiers and Mariners, that have lost limmes, or shall loose their limmes, or disable their bodies, having bene prest; and in pay for the Queenes service, as by the Justices of peace, or the moze part of them, in their generall Quarter Sessions to be holden in their severall Counties, next after the feast of Easter next, and so from time to time at the like Quarter Sessions, to bee holden next after Easter, yearly shall bee appointed, so no Parish bee rated above the summe of tenne pence, nor under the summe of two pence, weekly to be payed, and so as the totall summe of such taxation of the Parishes, in any countie where there shall be above fiftie Parishes, doe not excede the rate of six pence for every Parish, in the same Countie: Which summes so taxed, shall be yearly assessed by the agreements of the Parishioners within themselves, or in default thereof by the Churchwardens and the petit Constables of the same Parish, or the moze part of them, or in default of their agreement, by the order of such Justices or Justice of Peace, as shall dwell in the same Parish, or if none bee there dwelling, in the parts next adjoining. And if any person shall refuse or neglect to pay any such portion of money so taxed, it shall be lawfull for the said Churchwardens and petit Constables, and enerie of them, or in their defaults, for the said Justices of Peace, or Justice, to levie such summe by distresse, and sale of the goods or chattels of the partie so refusing, or neglecting, rendring to the partie the overplus raised upon such sale. 43. Eliz. 3.

Every parish charged with a weekly sum towards the reliefe of souldiers.

The taxation of every parish.

Refusing to pay the money taxed.

18 The Churchwardens and petit Constables of every Parish shall truly collect every such summe, & the same shall pay over unto the high Constable in whose division such Parish shall be situated, tenne daies befoze the Quarter Sessions, to be holden next befoze, or about the Feast of the Nativite of S. John Baptist next, in the Countie where the said Parish shall be situated, and so from time to time quarterly within tenne daies befoze enerie Quarter Sessions: And every such high Constable, at enerie such Quarter Sessions in such Countie, shall pay over the same to two such Justices of peace, or to one of them, or to two such other persons, or one of them, as shall be by the moze part of the Justices of peace of the same countie elected to be Tresurers of the said collection: The same other persons to be elected Tresurers, to be such, as at the last taxation of the Subsidie next befoze the same election, shall be valued and setted at tenne pounds in lands yearly, or at forty pounds in goods: Which Tresurers in enerie countie so chosen, shall continue but for the space of one whole yeare, and then give by their charge, with a due account of their receipts and disbursements, at their meeting in Easter Quarter Sessions, or within tenne daies after, to such others as shall from yeare to yeare in the forme aforesaid, successively be elected. And if any Churchwarden, petty Constable, or high Constable, or his Executors, or Administrators, shall faile to make payment in forme above specified, then enerie Churchwarden, and petty Constable, his Executors or Administrators, so offending, shall forfeit the summe of twenty shillings: And enery high Constable, his Executors or Administrators, the summe of forty shillings, to be levied by the Tresurers aforesaid, by distresse and sale, in manner befoze expressed, and to be taken by the said Tresurers, in augmentation of their stocke, to the uses aforesaid. If any Tresurer, his Executors or Administrators, shall faile to give by his account within the time aforesaid, or shall be otherwise negligent in the execution of his charge, then it shall be lawfull for the moze part of the Justices of Peace of the same countie, in their Sessions, to assess such fine upon such Tresurer, his Executors, or his Administrators, as in their discretions shall seeme convenient, so it be not under the summe of five pounds. 43. Eliz. 3.

Churchwardens shall pay to the high Constables the money taxed.

A Tresurer failing of account or neglecting his charge.

Captaines, Souldiers, Musters.

To which
Treasurer
the Souldier
shall repaire
for reliefe.

Who shall
make the Souldiers
Certificat.

Allowance of
the Certificat.

Treasurers
shall assigne
reliefe to souldiers.

Justices shall
graunt reliefe
to Souldiers.

How much
reliefe shall be
assigned.

The Justices
may alter the
reliefe of a
Souldier.

Souldiers
arriving farre
from the place
where they
are to haue
reliefe.

19 **E**uerie Souldier or Pariner, hauing had his or their limmes lost, or disabled in their bodies by seruice, being in her Maiesties pay, as aboue is mentio-
ned, or such as shall hereafter retorne into this Realme, hurt or maymed, or grie-
uously sicke, shall repaire, if hee bee able to trauell, and make his complaint to the
Treasurers of the Countie out of which he was pressed, or if he were no prest man,
of the Treasurers of the countie where he was borne, or last inhabited by the space
of thre yeares, at his Election. And if he bee not able to trauell, to the Treas-
urers of the countie where hee shall land, or arrive, and shall bring a Certifi-
cate vnto any of the Treasurers aforesaid, vnder the Hand and Seale of the
Generall of the Campe, or Gouernour of the Towne, wherein he serued, and
of the Captaine of the Band, vnder whom he serued, or his Lieutenant, or in
the absence of the said Generall or Gouernour, from the Marshall or Deputie of
the Gouernour, or from any Admirall of her Maiesties Fleet, or in his absence,
from any other Generall of her Maiesties Ships at the Seas, or in absence of such
Generall, from the Captaine of the Ship, wherein the said Pariners or Souldi-
ers did serue the Queene, containing the particulars of his hurts and seruices:
Which Certificat shall bee also allowed by the generall Muster Master for the
time being, resident here within this Realme, or Receiver generall of the Mus-
ter Rolls, the Treasurer and Controller of her Maiesties Exchequer, vnder his hand,
for the auoiding of all fraud and counterfeiting: Then vpon such Certificat, such
Treasurers as are before expessed, shall according to the nature of his hurt, and
commendation of his seruice, assigne vnto him such a portion of reliefe, as in their
discretions shall seeme conuenient for his present necessitie, vntill the next Quar-
ter Sessions, at the which it shall be lawfull for the more part of the Justices of P.
vnder their hands, to make an instrument of Exaunt of the same, or like reliefe,
to endure, as long as this Act shall stand or endure, in force, if the same Souldier
or Pariner shall so long liue, and the same pention not be duly reuoked, or al-
tered, which shall be a sufficient warrant to all Treasurers for the same Countie, to
make payment of such pention vnto such persons quarterly, except the same shall be
afterward by the said Justices reuoked or altered: So that such reliefes as shall
be assigned by such Treasurers or Justices of Peace, to any such Souldier or Pa-
riner, hauing not borne office in the said warres, exceede not the summe in grosse
nor yearly pention of tenne pounds: nor to any that hath borne Office, vnder
the degree of a Lieutenant, the summe of fiftene pounds: nor to any that hath
serued in the Office of Lieutenant, the summe of twentie pounds. And yet ne-
uerthelesse, it shall and may be lawfull to and for the Justices of Peace, and others,
hauing authoritie by this Act, to assigne pentions to Souldiers and Pariners, by
on any iust cause, to reuoke, diminish, or alter the same, from time to time, ac-
cording vnto their discretions, in the generall Quarter Sessions of the peace, or gen-
erall assemblies for Cities or Townes Corporat, where the same pention shall bee
granted. 43. Eliz. 3.

20 **A**nd whereas it must needs fall out, that many of such hurt and maimed
Souldiers and Pariners doe arrive in Ports and places, farre remote from the
Counties, whence they are by vertue of this Act to receiue their yearly Annuitie
and Pensions: As also they are prescribed by this Act, to obtaine the allowance of
their Certificats from the Muster Master, or Receiver generall of the Muster rolls,
who commonly is like to abide about the Court, or London, so as they shall need of
the first, provision for the bearing of their charges to such places: It may be law-
full for the Treasurers of the Countie, where they shall arrive, in their discretion,
vpon their Certificat (though not allowed) to giue them any conuenient reliefe for
their iourney, to carrie them to the next Countie, with a Testimoniall of their
allowance, to passe on towards such a place. And in like manner shall it be law-
full

shall for the Treasurer of the next Countie to doe the like. And so from Countie to Countie (in the direct way) till they come to the place where they are directly to find their maintenance, according to the Tenor of this Statute. 43. Eliz. 3.

21. Every the Treasurers in their severall Counties, shall keepe a true booke of Computation, of all such summes as they leaue, and also a Register of the names of every such person, vnto whom they shall haue disbursed any reliefe: And shall also preserve, or enter every certificate, by warrant whereof, such reliefe hath been by them disbursed. And also the Muster-Master, or Receiuer generall of the Muster Rolles shall keepe a booke, wherein shall be entered the names of all such, whose Certificats shall be by them allowed, with an Abstract of their Certificats. And every Treasurer returning, or not accepting the Certificat brought vnto him from the said Muster-Master, shall write and subscribe the cause of his not accepting, or not allowing thereof, vnder the said Certificate, or on the backe thereof. 43. Eliz. 3.

The Treasurers booke of Computation, and Register

22. If any Treasurer shall wilfully refuse to distribute and giue any reliefe, according to the forme of this Act, it shall be lawfull for the J. of P. in their Quarter Sessions, to fine such Treasurers by their discretions, as aforesaid: The same fine to be leuied by distress, and sale thereof, to be prosecuted by any two of them, whom they shall authorize. 43. Eliz. 3.

A Treasurer refusing to giue reliefe,

23. Every Souldier or Pariner that shall be taken begging in any place, within this Realme: Or any that shall counterfeite any Certificat in this Act expressed, shall for ever loose his annuities, or pension and shall be taken and aduindged, as a common Rogue, or Vagabond person, and shall haue and sustaine the same; and like paines, imprisonment, and punishment, as is appointed and prouided for common Rogues, and Vagabond persons. 43. Eliz. 3.

A Souldier begging or counterfeiting a Certificat.

24. All the surplusage of money, which shall be remaining in the stocke of any Countie, shall by the discretion of the more part of the Iustices of Peace in their Quarter Sessions, be ordered, distributed, and bestowed vpon such good and charitable vses, and in such forme as are limited and appointed in the Statutes made and now in force, concerning the reliefe of the poore, and punishment of Rogues and Beggars. 43. Eliz. 3.

The surplusage of the stocke.

25. Provided alwaies, That the Iustices of Peace within any Countie of this Realme, or Wales, shall not intromit or enter into any Citie, Borough, Place, or Towne corporate, where is any Iustice of peace for any such Citie, Borough, place, or Towne corporate, for the execution of any Article of this Act: But it shall be lawfull to the Iustice and Iustices of Peace, Maiors, Bailles, and other head officers of those Cities, Boroughs, Places, and Townes corporate, where there is any Iustice of peace to proceede to the execution of this Act, within the precinct and compasse of their Liberties, in such manner as the Iustices of Peace in any Countie may doe by vertue of this Act: And that every Iustice of Peace within every such Citie, Borough, Place, or Towne corporate, for every offence by him committed, contrary to the meaning of this Statute, shall be finable, as other Iustices of the Peace, at large in the Counties are in this Act appointed to be: And that the Maior, and Iustices of peace in every such Citie, Borough, place, and Towne corporate, shall haue authoritie by this Act, to appoint any person, for the receiuing of the said money, and paying the same, within such Citie, Borough, Place, or Towne corporate: Which person so appointed, shall haue authoritie to doe all such things, and be subiect to all such penalties, as High Constables, by vertue of this Act, should haue or be. 43. Eliz. 3.

Chiefe officers in corporate Townes.

26. All forfeitures to be forfeited by any Treasurer, Collector, Constable, Churchwarden, or other person, for any cause mentioned in this Act, shall be employed.

How the forfeitures shall be employed.

Captaines, Souldiers, Mustres. Castles.

ploied to the reliefe of such Souldiers and Mariners, as are by this Act appointed to take and haue reliefe: and after that reliefe satisfied, then the ouerplus thereof, with the ouerplus of the stocke, remaining in any the said Treasurers hands, shall be imployed, as is befoze mentioned, to the charitable vles expessed in the said Statutes, concerning the reliefe of the poore, and for punishment of Rogues and Beggars, except the said Iustices or the moze part of them, shall thinke meete to reserve and keepe the same in stocke, for the maintenance and reliefe of such Souldiers and Mariners, as out of y^e same Countie may be after ward appointed to receiue reliefe and pensions. And that the reliefe appointed to be giuen by this Act, shall be giuen to Souldiers & Mariners out of the Countie, or place where they were expessed, so far forth as the Taxation limited by this Act, will extend. And if the whole Taxation there, shall be befoze imployed according to the meaning of this Act, or that they shall not be prest men, then out of the place where they were bozne, or last inhabited by the space of thre yeares, at his or their election. 43. Eliz. 4.

Pensions assigned to stand in force, though the Statute be repealed.

27 Every pension assigned heretofore to any Souldier or Mariner, or that shall be assigned, befoze the said Feast of Easter next, notwithstanding the discontinuance of the Statute of 35. Eliz. 4. 39. Eliz. 21. shall stand in force, and shall yearly from and after the said feast of Easter next, be satisfied and paid, out of such Taxations & forfeitures, as shall be made, collected, and leuied by force of this Act, so long as the said pension shall remaine in force, without such renocation, or diminishing, as is befoze in this Act mentioned: Which clause of renocation, or diminishing, befoze mentioned, shall extend as well to pensions heretofore assigned, as to such as at any time hereafter, befoze or after the said feast of Easter, shall be assigned to any person or persons. 43. Eliz. 3.

Taxations made and not leuied.

28 All arrearages of Taxations heretofore made, by vertue of the said former Statutes, or any of them, which shall be or remaine at the said feast of Easter next, uncollected, & not receiued, or leuied, shall & may by authoritie of this Act, be had, receiued and leuied by such persons, and in such manner and forme, as in every respect taxations made by vertue of this Act, are appointed to be collected, receiued, and leuied, and shall be imployed vnto the vles expessed in this Act, and no otherwise. 43. Eliz. 3.

If the rate be not sufficient for the souldiers in London.

29 If the said rate shall be thought not to be sufficient for the reliefe of such Souldiers and Mariners, as shall be to be relieved within the City of London, then it shall be lawfull for the Mayor, Recorder, and Aldermen of London, or y^e moze part of them, to rate and take such reasonable rate, summe and summes of money for the said reliefe, as shall be to them thought fit and convenient: So as such summe and summes of money, so to be rated, doe not exceede iij. s. weekly out of any parish: and so as in the total, the summe shall not exceede, or be vnder xij. d. weekly out of every parish, one with another, within the said Citie and the liberties thereof. 43. Eliz. 3. 1. Jac. 25. To continue vntill the end of the first Sessions of the next Parliament.

Castles.

Castle-ward.

NO Constable shall distraine any man to giue any money for the keeping of a Castle, if he will doe it himselfe, or procure any sufficient man for him. And if the King doe carrie him with him, or send him vnto his warres, he shall be free from Castle-ward, during the time that he is in the Kings host, for that see for the which he did Knights seruice in the armie. Magna Charta, 9. H. 3. 20. S. Douer Castle, 32. H. 8. 48.

1 What Purueyance, and in what maner shall be made to victuall a Castle. S. Purueyors 6.

[Cards

Card for wooll. Cattell.

Cards for wooll.

No person or persons whatsoever shall bring, send, or convey, or cause to be brought, sent, or conveyed into this Realme of England, or Wales, from the parts beyond the Seas, any Cards for wooll to be sold, bartered, or exchanged with in this Realme of England, or Wales, upon paine to forfeit all such Cards for wooll, so to be brought, sent, or conveyed, contrary to the true meaning of this Act, in whose hands soever they or any of them shall be found, or the value thereof to the Quene, and him or them that will seise the same, or sue therefor in any of the Courts of Record, by A. B. P. 3. or otherwise, wherein no W. C. P. 4. 39. El. 14. 1. Jac. 25. to endure unto the end of the first Session of the next Parliament.

No Cards for wooll shall be brought into this Realme.

Cattell.

If any person doe buy any Oren, Kents, Steeres, Kine, Heifers, Calves, Sheepe, Lambes, Goates, or Hides, living, and sell the same againe alive (except he keepe and feede the same by the space of five weekes in his owne house, ground, farme, or in such ground where he hath the herbage or common of pasture by graunt or prescription) he shall forfeit the double value of the Cattell or things so bought and sold againe, to the R. and J. to be recovered by A. J. &c. wherein no W. C. P. 4. 5. Ed. 6. 14. 13. Eliz. 25.

Buying of cattell, & selling within five weekes.

2 If any person doe buy, or commune and conclude to buy any Oren, Steeres, Kents, Kine, Heifers, or Calves, but onely in the open Faire or Market, where the same shall happen to be brought and put to sale, (except it be for the provision of his household, Teme, or Dairie, or except it be a Butcher which shall not sel the same alive) or shall sell the same againe alive, at, or in the Market or Faire where he bought the same, during the time of the said Faire or Market, he shall forfeit the double value of the cattell &c. so bought or sold, to the R. and J. to be recovered by A. J. &c. wherein no W. C. P. 4. 3. Ed. 6. 19. 1. Jac. 25. to continue untill the end of the first Session of the next Parliament.

No cattell shall be bought but in the faire or Market.

3 If any person which shall keepe or feede above the number of six score share Sheepe, for the most part of the yeare upon his Pasture, Lands, Feedings, or Farmes, which be continually severall and meete for Milch Kine, (and wherein no other person 21. Octobr. Anno Dom. 1555. had common for cattell any time of the yeare) doe not keepe for every 12. share Sheepe, one Milch Cow, and for every 12. score share Sheepe reare up yearly one Calfe, so long as he shall keepe or feede the said number of 12. score share Sheepe, he shall forfeit for every Cow not kept for every moneth 12. s. and for every calfe not reared 12. s. to the R. & J. to be recovered within one yeare after offence &c. by A. J. &c. wherein no W. C. P. 4. 2. & 3. P. & M. 3. The said former Act, and the paines and penalties therein contained, shall from and after the Feast of S. Michaele the Archangell now next ensuing, be extended, and construed, taken, expounded and adjudged to extend as fully to all intents, constructions, and purposes, with the same provisions, and in like maner, to all and every the grounds apt and meete for Milch Kine, since the making of the said Act inclosed, or hereafter to be inclosed, and not to be layed open to common at any time of the yeare, and to the occupiers thereof, as to the grounds before the said Act made severall, and wherein none had interest of common at the time of making the said Act, and to the occupiers thereof, and as if the said grounds so lately inclosed, and hereafter to be inclosed and made severall, had been inclosed and held severall, at the time of the making of the said Act, and as if no person nor persons other then the Owners thereof, then had had interest of common therein: Any words,

A cow shall be kept for 60. Sheepe and a calfe for 120.

The Stat of 2 & 3. P. & M. shall be extended to ground sitthence inclosed or hereafter to be inclosed.

Do y

sentence,

Certificat of Conuict.

sentence, or clause in the said former Act, to the contrarie in any wise notwithstanding. 7. Jac. 8.

I cow for ten
beastes fed, &
for two hine a
calle.

4 If any person which doth keepe or sãde vpon his severall Pastures about the number of xx. Dren, Kents, Stãeres, Scrubs, Heyfolds, or Hine, doth not for every r. beastes, keepe one Hilch Cow, and for every ij. Hine, weare and reare vp yearely one Calfe (except it chance to die) he shall forf. vs supra. Prouided, that no person shalbe compelled to keepe any Hine, or reare any Calues for such Sheepe or other beastes, which he keepeth and feedeth onely to be spent in his house. 2. & 3. P. & M. 3. 13. Eliz. 25. S. Iustice of Peace 28.

Certificats of Conuicts.

**Certificat into
the B. Bench
of euery outla-
ry, attainer, &
conuiction,**

If any Clerke of the Crowne, Clerke of the Peace, or Clerke of Assise, where any Attainder, conuiction, or outlarie of Felonie shalbe befoze the Iustices of Peace, Gaole Deliuerie, or Oyer and Determiner, doe not certifie a bryefe Transcript, containing the tenor and effect of euery Indictment, Outlarie, Conuiction, Clerke attaint, that is to say, the name, surname, and addition of euery person so indicted, and thereupon outlawed, conuicted, or Clerke attaint, and the certaintie of his Felonie or other offence, and the day and place when and where it way done, the day and place of his Outlarie, Conuiction, and Attainder into the Kings Bench, within xl. dayes next after such Attainder, Conuiction, or Outlarie (if the Terme then be open) and if not, within xx. dayes next after the beginning of the Terme next following the said xx. dayes: The said Clerke befoze whom such Attainder, Outlarie, or Conuiction &c. shalbe made, shall forfeit for euery such default of not certifying of euery such Record, fortie shillings to the King and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. And the Clerke of the Crowne in the Kings Bench shall receiue the same Certificats and Transcripts, whensoever they shalbe tendered vnto him by any of the aforesaid Clerkes of the Crowne, of the Peace, or of Assise, or their Deputies, vpon paine of forfeiture of xl. s. for euery Certificate by him refused. 34. H. 8. 14.

**The Clerke
of the Crowne
shall receiue &
certificats.**

**The names of
those onely
which be at-
tainted, conuic-
ted &c. shalbe
certified.**

2 But if there be moze persons named in any such Indictment, other then such person Attainted, Conuicted, or Outlawed, then the said Clerkes shall certifie the Transcript of such Indictment, Outlarie, or Conuiction, onely concerning such person or persons so Indicted, and Attainted, Outlawed, or Conuicted, into the B. Bench: which Transcript so certified, shalbe taken as effectuall in Law, to all intents, against such person against whom it shalbe objected or pleaded, as if the very Record thereof (whereupon he was indicted) were present. 34. H. 8. 14.

**Clerke of the
Crowne shall
certifie the
name of con-
uicts to the
Iustices.**

3 If the Clerke of the Crowne in the B. Bench for the time being do not incontinently and without delay certifie to the J. of Gaole deliuerie, and J. of Peace of euery County of this Realme (which shall write vnto him for the same) the names and surnames of such persons which be so Attainted by outlarie, Clerkes Attainted, or Conuicted, and certified into the Kings Bench, and the causes why & wherefoze they were Attainted, or conuicted, he shall forf. for euery name so written for, and not certified by him to the said Iustices, xl. s. 34. H. 8. 14.

**No certificate
out of Wales,
Chester, Lan-
caster, Durha-**

4 This Act shall not extend to the Clerke of the Crowne, Clerkes of the Peace, Clerkes of Gaole deliuerie, neither to any of the Pzenotaries within the counties of Wales and Chester, or within the counties Palatines of Lancaster & Durham, or any of them, to make any Transcript of any such Attainder, conuiction, or Outlarie of any person conuicted, Attainted, or outlawed befoze the B. Iustices of his counties of Wales or Chester, or countie of Lancaster, Durham, or any of them, but the same Records shall and may remaine in the custodie of the said Clerkes and Pzenotaries, in such maner as they are. 34. H. 8. 14.

Cessant.

Cessavit.

If any do let his lands to ferme, or to finde essouers in victuall or clothing, which amounteth to the fourth part of the very value of the land, and he that holdeth the land so charged, letteth the same lie fresh, so that a man can finde no distresse by the space of ij. or iij. yerres, to compell the Farmor to do or yeld that which is contained in the writing, after the ij. yerres past the lessor shall have an action out of the chamberie to demand the land in demesne. And if he against whom the land is demanded come before iudgment, and render the arrearages and damages, and find such surety as the court shall thinke sufficient, to pay from thenceforth that which is contained in the writing of lease, he shall retaine the land: and if he tarry untill it be recovered by iudgement, he shall be barred for ever after. Glo. 6. E. 1. 4.

Cessavit against tenant by fee ferme.

2 In like sort, if a man do retaine from his Lord his due and accustomed service by the space of ij. yerres, the Lord shall have an action to demand the land in demesne. And in both these cases, the heire of the demandant shall have a writ of entry against the heire of the tenant, and against them to whom the land shall be aliened. West. 2. 1. 3. E. 1. 2. 1. There see the Writ of Cessavit.

Cessavit by the Lord against his tenant.

3 If lands given for feeding of poore people, or other almes to be maintained or done, be aliened by those to whom they are given, if they were given by the King, or any of his progenitors, the lands shall be taken into the Kings hands, and retained at his pleasure, & the buyer shall lose his recovery as well of the lands as of the money which he payed. And if they were given by an Earle, Baron, or other person, he by whom, or by whose ancestor the land so aliened was given, shall have a writ of contra formam collationis, to recover the land in demesne. But if the land so given for sustenance of poore people, or other almes to be maintained or done, be not aliened, but such almes is witheld, by the space of ij. yerres, an action shall lye for the donor or his heirs, to demand the land so given in demesne, as it is ordained in the Stat. of Glouc. for lands leased to render the fourth part of the value, or more. West. 2. 1. 3. Ed. 1. 4. 1.

Lands aliened which were given in almes

Contra formam collationis.

The Times witheld.

Challenge.

None of the petite Jury, nor other parties, named in any bill of attainr, sued in the Hustinges of London (holden for common pleas before the Mayor and the Aldermen) upon any untrue verdict given in any of the courts of the said City, shall or may have any Challenge to the array, or to any person or Doll therein being impanelled, for lack of sufficient goods or lands. 11. H. 7. 2. 1. S. Attaint 14.

Challenge in a Bill of Attaint sued in London.

2 Every person being a citizen of the City of London, & in value of goods & cattels to the sum of 400. marks, may be impanelled & returned by the Sherrifes of the said City, in every attaint brought by writ by vertue of the Stat. of 23. H. 8. upon verdict given by the citizens of the said City, without any challenge for insufficiency of freehold of any of them, to be made by any of the parties in such Attaint. 37. H. 8. 5. S. Attaint 14.

Challenge in a writ of Attaint sued in London.

3 It is a principall Challenge in any of the Courts of the City of London, in any suit where the lands or tenements, or action personal, wherein the debts or damages amounteth to 20. marks, or above, that the party impanelled in the inquest hath no lands, tenements, goods, or cattels to the value of 100. marks, if it be alleged by any of the parties, & so found. And no person shall be impanelled, summoned, or sworn in any Jury of Enquest, in courts within the same City, except he be of lands, tenements, or goods & cattels, to the value of 20. marks. 11. H. 7. 2. 1. S. Jurors 16.

Challenge in London, where the thing in demand is worth 20. marks.

4 The Challenge commonly called (Riens diens le gard) within the citie of London, shall be no Challenge, but utterly void. 7. H. 7. 5.

Riens diens le gard.

5 If a man challenge a Jury, or a Juror for the King, he shall shew cause of his challenge forthwith, which cause shall immediately be tryed by the Justices discretion, whether it be true or not. 33. Ed. 1.

Challenge for the King.

6 No indictor shall be put in the enquest upon the deliverance of the party indicted of trespass or felony, if he which is indicted doth challenge him for the cause. 25. E. 3. 3. S. Jur. 3

Challenge of the Inditor.

Challenge. Chester, Cheshire.

Challenge
where thing
in demand is
worth forty
markes.

Inhabitant of
Townes cor-
porat.

Challenge by
one arraigned
by a special
Commission.

Challenge
upon an ar-
raignment of
Diracie.

Challenge by
one arraigned
for offence co-
mitted within
the verge.

Challenge by
one that con-
spireth any L.
death.

No Peremp-
tozie Challenge
in Treason.

No Peremp-
tozie Challenge
in Murder.

Challenge by
an inquisition
of Collusion.

Sessions kept
in Chester
two times in
the yeare.

7 It is a good Challenge for the party, where an enquest is taken upon the death of a man, or betwixt party and party in any plea reall or personall, where the debt or damage doth amount to xl. markes, to say that any impanelled, hath not lands or tenements to the value of xl. s. above all charges. 2. H. 7. 3. But this statute is to be intended only of enquests to be had betwixt Denizen & Denizen, & not where trial is to be made per medietate linguæ, where an Alien is one party, according to the Stat. of 28. E. 3. 13. 8. H. 6. 26. And every person being the R. natural subject borne which by any name doth enjoy & liberties of any city, borough, or towne corporate, where he dwelleth & maketh his abode, being worth in moveable goods to the cleere value of xl. l. shalbe admitted in trial of murders & felonies in every Sessions and Gaole delivery houlden for the liberties of every such citie, borough, or towne corporate, albeit he hath no freehold. 23. H. 8. 13. S. Iurors 15.

8 If a commission of Oyer & terminer be directed into any countie, for the trial of any person which doth confesse any murder, to thre of the R. Councell, or is vehemently suspected thereof, no Challenge for the shire or hundred shalbe allowed unto him. But the Challenge of any Juror for lack of freehold of the yearly value of xl. s. shalbe allowed. 33. H. 8. 23. Neither shall he have any Challenge to the Hundred, which is arraigned for any offence committed upon the sea, or in any other place where the Admirall hath jurisdiction, before Commissioners thereunto anthorized by the R. commission under the great seale. 23. H. 8. 15.

9 He that is arraigned of treason, murder, or manslaughter, committed within the verge, shall have no manner of challenge to any of the Jury (malice only excepted) 33. H. 8. 12. Neither he which being the R. servant swayne, & whose name is in the chequer roll of the R. household, under the degree of a Lord, which is arraigned for conspiring with any other to destroy any Lord of this Realme, or any other swayne to the R. councell, or the steward, treasurer, or controller of the R. house. 3. H. 8. 14.

10 Peremptorie challenge shall not be allowed in any case of high Treason, or misprision of high Treason. 33. H. 8. 23.

11 No person arraigned for any petit treason, murder, or felony, shalbe admitted to any peremptorie challenge above the number of twenty. 22. H. 8. 14. 32. H. 8. 3.

12 If he which is impleaded for land by an Ecclesiasticall person, doth make default, whereby Judgment ought to be given against him, if the court do enquire by Jurie of the countrey, whether the demandant had right in the lands demanded or not, every Lord of whom the same lands be holden, shalbe allowed to challenge the Jurors of the same inquisition, and so shall any man for the King that will. West. 13. Ed. 1. 33. S. Mortmaine 5.

1 Where, upon the trial of an issue in a personall action, no Challenge for the hundred shalbe allowed. S. Iurors 19.

Chester, Cheshire.

The Law and administration of Justice, and all other things in the Countie of Chester in times past used to be had at the shire days, shalbe holden, had, made, done, and executed by the Justices of the said Countie for the time being, at two times in the yeare only, that is to say, at the Sessions next after the feast of S. Michael, and at the Sessions next after Easter, during so many dayes at every of the said times as need shall require, in like maner and forme, as it is used and executed in the Countie Palatine of Lancaster. 32. H. 8. 43. And the said two Sessions shall and may be holden at such time & times, as by the said J. or his Deputie shalbe appointed, as well before the said feast of Easter and Michaelmas, as any other time, according as is commonly used in other shires of this Realme, so alwaies open proclamation be thereof made, by the space of xv. dayes at the least before the first day of the keeping of the same Sessions. 33. H. 8. 13.

2 The Countie Palatine of Chester shall have two knights for the said Countie,

ty, and two Citizens to be Burgeses for the city of Chester, to be elected for every Parliament by Proces awarded by the chancelor of England, to the chamberlaine of Chester, his Lieutenant, or deputie. And like proces to be made by the said chamberlaine, or to the Shirefe of the county of Chester. And the election shalbe made in like maner and forme to all intents as is used in other shires and cities, and every of the said knights & Burgeses so elected, shalbe returned into the chancery of England, by the Shirefe in due forme, upon like paine as other Shirefes of other shires, &c. And every of the said knights and Burgeses shall have like voice, authority, liberties, privileges, wages, fees, and commodities, as other knights and Burgeses of the same court of Parliament enjoy, use, and have. 34.H. 8. 13.

3 If any person of the county of Chester, resistant in the same county, do commit any murder or felonie in any place out of the same countie, Proces shalbe awarded against him by the common Law unto the Exigent, in the countie where the offence was committed: And if he fle from thence into the countie of Chester, and be outlawed for the said murder, or felonie, the same outlawrie or Exigent shalbe certified unto the officers of the countie of Chester, and the felon shalbe taken by the same officers, and his lands, tenements, goods, and cattles, within the same countie of Chester, shalbe seised as forfeit, to the King or him which shalbe Lord of the said county, of Chester for the time, & the King shall have the yeare, day, and wall, & the other lands goods, &c. of such felon, being out of the said county, shalbe forfeit, to the King. and other Lords which have franchises. And in the same maner it is of any person of the said countie, resistant or dwelling in the same countie, which committeth battery, or other trespass in another county & then flyeth into the county of Chester, his goods shalbe forfeit, &c. & if he be outlawed, the outlawrie shalbe certified to the same officers of Chester, & his person shalbe taken, & his goods & cattels shalbe forfeit, &c. *vi supra. i. H. 4. 18. 9. H. 5. 2.*

1 No protection shalbe graunted to any person within the Countie of Chester, without the Kings warrant. *S. Protection 5.*

2 For Proclamations upon Exigents to be awarded against any person dwelling in the Countie of Chester, or in the Citie of Chester. *S. Exigents 6.*

3 Every Sherife of the countie, and of the Citie of Chester, shall have a Deputie in the Kings Bench, and common place. *S. Exigents 7.*

4 Fines may be leuied before the high Iustice of Chester &c. of lands within the Countie of Chester. *S. Fines 12.*

5 A Tales de circumstantibus is grautable in the Countie of Chester, where a full Jury doth not appeare. *S. Iurors 23. 25.*

6 In what sort, and by whom the commission of Sewers shalbe directed within the fees of the Countie of Chester. *S. Sewers 18. 19.*

7 For Statutes to be acknowledged before the Mayor of Chester. *S. Statutes 1.*

8 How offices found in the Countie of Chester, shalbe receiued and certified in the Court of Wards. *S. Offices 7.*

9 Two Coroners shalbe for Cheshire: and their authority. *S. Coroners 20.*

10 For inrolments of bargaines and sales of lands in the Countie of Chester. *S. Inrolments 4. 5.*

11 Where the Sherifes Countie Court of Cheshire shalbe kept. *S. Countie 2.*

12 For inrolling of fines and recoveries in the Countie of Chester. *S. Fines 29. &c.*

Cheirographer, and Custos Breuium.

The Cheirographer of the common place, his farmor, deputy, or lieutenant, shall not take any more then iiij. s. for any fine leuied in the same court. And if the farmor, deputy, or lieutenant, do make any more, he shall forfeit his office, be excluded from the same court, suffer one yeare imprisonment, & pay to the party grieved his treble damages, and the party grieved shall have his suit before the King of the same court. 2.H. 4. 8. West. 1. 13. Ed. 1. 44.

Two knights and two Burgeses for the Parliament in Chester.

In inhabitas of the Countie of Chester committeth felony or murder in another Countie.

Proclamations.

Deputies.

Tales.

Sewers.

Statutes. Offices.

Coroners.

Inrolments.

The Cheirographers fee, upon every fine.

Cheirographer, and Custos Breuium. Citation.

**Enrolling of
writs in the
common place
whereupon
fines be leuied**

2 All writs of Covenant, and all writs whereupon fines shalbe leuied, with the writs of Dedimus potestatem (if any be) with al knowledges, and notes of the same, befoze that they be drawne out of the Common Place by the Cheirographer, shalbe Enrolled in a Roll to be of Recoꝝd foꝝ euer, to remaine in the safe custodie of the chiefe Clerke of the Common Place, and of his successors, foꝝ the old lxx of xxij. v. accustomed to be paid to the chiefe Clerke, foꝝ the entring of the recoꝝd of euery fine without paying any moze, to the intente, that if the notes in the custodie of the Cheirographer, oꝝ the fines, be imbeasiled, a man may haue recourse to the said Roll, to haue execution, as he should haue, if the fines were not imbeasiled. 5. H. 4. 14.

1 The Chierographer shall make a Table containing the content of euery fine, and what he shall haue for the same. S. Fines 25.

Citation.

**No person
shalbe cited to
appeare out of
the Dioces
where he
dwelleth.**

Exception.

If any person be cited, summoned, oꝝ otherwise called to appeare, by himselfe, oꝝ his pꝛocuratoꝝ, befoze any Ordinary, Archdeacon, Commissary, Officiall, oꝝ other Judge spirituall, by vertue of his Office, oꝝ at the suit of any person, out of the Dioces oꝝ peculiar Iurisdiction, where the party cited, summoned, oꝝ called, dwelled at the time of the same Citation awarded, the said Ordinarie, Archdeacon, &c. shall foꝝfeit to the party so cited double dammages and costs foꝝ veration, to be recoꝝred by action of debt, oꝝ action vpon the case, by A. B. P. &c. and also shall foꝝfeit x. l. to the R. and J. to be recoꝝred by A. J. &c. wherein no W. &c. C. P. &c. (except it be foꝝ any spirituall offence, oꝝ cause committed, done, foꝝslowed, neglected oꝝ omitted by any Bishop, Archdeacon, oꝝ other person hauing spirituall iurisdiction, oꝝ being a spirituall Judge, oꝝ by any other person within the Dioces, oꝝ Iurisdiction, whereunto he shalbe cited, oꝝ otherwise lawfully called to appeare and answer: M: except it be by oꝝ vpon matter oꝝ cause of Appealle, oꝝ foꝝ other lawfull cause, wherein any party shal finde himselfe grieved oꝝ wronged by the Ordinary, Judge, oꝝ Judges of the Dioces oꝝ iurisdiction, oꝝ by any of his Substitutes, oꝝ Ministers, after the matter oꝝ cause their first commenced and begun, to be shewed to the Arch bishop, oꝝ Bishop, oꝝ any other hauing peculiar iurisdiction, within whose pꝛouince the Dioces, oꝝ place peculiar is: oꝝ in case that the Judge dare not conuent the party to be sued befoze him: M: that the bishop of the Dioces, oꝝ the Judge of the place, within whose Iurisdiction, oꝝ befoze whom the suit by this Act should bee commenced and pꝛosecuted be partie, directly oꝝ indirectly to the matter oꝝ cause of the same suit: M: that any Bishop, oꝝ any inferior Judge, hauing vnder him Iurisdiction in his owne right and title, oꝝ by Commission, do make request oꝝ instance to the Archbishop, oꝝ other superior Ordinary oꝝ Judge, to take, treat, examine, oꝝ determine the matter befoze him oꝝ his Substitute, and that to be done in cases onely where the Ciuill oꝝ Canon Law doth affirme execution of such request oꝝ instance of Iurisdiction, to be lawfull oꝝ tollerable: M: except it be foꝝ Testaments to be pꝛoued befoze the Archbishop of Canterburie, by reason of his pꝛerogative, oꝝ foꝝ Testaments to be pꝛoued befoze the Archbishop of Yorke within his Iurisdiction, by reason of any pꝛerogative.) 23. H. 8. 9. 1. Eliz. 1.

**Archbishop
may cite foꝝ
Heresie.**

**Fees foꝝ the
seale of a Ci-
tation.**

2 It is lawfull foꝝ any Archbishop of this Realme to cite, call, and summon any person dwelling in any Bishops dioces within his Pꝛouince, foꝝ causes of Heresie, if the Bishop oꝝ other Ordinarie immediate thereunto consent, oꝝ do not his duty in the punishment of the same. 23. H. 8. 9. 1. Eliz. 1.

3 If the Archbishop, Bishop, Ordinarie, Officiall, Commissarie, oꝝ other person hauing spirituall Iurisdiction, oꝝ any Substitute oꝝ Minister of his do aske, demand, take, oꝝ receiue moze then iiij. s. foꝝ the seale of any Citation, he shall pay to the partie of whom &c. double dammages and costs, and shall foꝝfeit foꝝ euery offence x. l. to the R. and J. &c. to be recoꝝred by A. J. &c. wherein no W. &c. C. P. &c. 23. H. 8. 9. 1. Eliz. 1.

Clapb oord,

Clapboord, Caske, &c.

All and enery person and persons, which shall Ship, carrie, or transport, any Beere into the parts beyond the Seas, to be sold or exchanged for other Merchandise, shall (if he be a stranger) then before the same transporting, (if he be a subject borne) then either before the same transporting, or within foure moneths after, bring, or cause to be brought into this Realme, from the parts of beyond the Seas, for every six tunnes of Beere, two hundred of Clapboord, fit for to make Caske of, to containe in length three foot and two ynches at the least: Or else the same Caske againe, or so much other good and sweet caske in quantity, and the same to be entred at the Custome house without any colouring: Or if the same transporting shalbe into the Realme of Ireland, then to bring in maner and soyme as aforesaid, so much of Shaffold boord in quantitie as the Clapboord amounteth vnto. 35. Eliz. 11.

2. No stranger borne shall Ship, carrie, or transport beyond the Seas any Pilchers, or other Fish in caske, vntlesse the same person haue before such Shipping brought, or caused to be brought into this Realm from the parts beyond the Seas, for every six Tunnes of Pilchers, or other Fish, according to the rate and maner aforesaid, of Clapboord fit for caske, or else of caske as aforesaid, vpon paine of forfeiture of the said Beere, Pilchers, and caske, that shalbe shipped or Laden to be transported into the parts of beyond the Seas. 35. Eliz. 11.

3. It shall not be lawfull for any person or persons, to transport, or carrie any wine caske out of this Realme, with any Beere or Beereager, nor any wine Caske shaken, and sell the same Beere or Beereager, or caske, except for the victualing of any Ship or portable vessel, or of any of her Maiesties garisons and forces in the parts beyond the Seas, vpon paine of forfeiture of the sum of xl. s. for every tunne of caske so carried or transported. Provided alwayes that this Act, or any thing therein contained, shall not extend to the transporting of any Herrings whatsoever in caskes. 35. Eliz. 11. 1. Jac. 2. 5. This Act to continue to the end of the first Session of the next Parliament.

Clergie.

No person shall haue the priuiledge of his Clergie, which shalbe indicted or appealed for Felonious taking of any money, goods, or cattels, from the person of any other, priuily without his knowledge in any place whatsoever, and thereupon found guilty by verdict of xij. men, or shall confesse the same vpon his arraignment, or will not aunswere directly to the same, according to the Lawes of this Realme, or shall stand wilfully, or of malice, or obstinately mute, or challenge peremptorie aboue the number of twenty, or shalbe vpon such Indictment or Appeale Outlawed. 8. Eliz. 4.

2. No he that shall stab any person which hath not a weapon drawne, or hath not first stricken, so as the partie die thereof within six moneths. 1. Jac. 4. S. Murder 7.

3. No he which by the Statute provided Anno 35. Eliz. 1. (to retaine the Subjects in due obedience) or by the Statut made (An. 35. Eliz. 2. for the restraint of Popish Recusants to some certaine places of abode) is to be abiured, which shall refuse to make such abiuration, as by the said Statutes is appointed: Or after abiuration, shall not goe to such Haven, and within such time as is appointed, and from thence depart forth of the Realme, according to the said Statute: Or after his departure, shal returne and come againe into any of the Queenes dominions without licence. 35. Eliz. 1. 35. Eliz. 2. S. Recusants 19. 33.

4. No

Clergie.

Coniuration.
Witchcraft.

4 For he that doth practise Inuocation or Coniuration of wicked Spirits for any intent, or Witchcraft, Enchantment, Charme, or Sorcerie, whereby any person shall be killed, or destroyed: Or whereby any person shall be consumed, or lamed in his bodie or member, or whereby any goods of any person shall be wasted, or impayred, being once convicted of the said offence before. 1. Iac. 2. 5. S. Coniuration 1. 2. 3.

Buggerie.

5 For he which doth commit Buggerie with mankind or beast, and is thereto convicted by verdict, confession, or outlawrie. 24. H. 8. 3. 5. Eliz. 17.

Commaundment of Felonies.

6 For he which doth maliciously commaund, hire, or counsell any person to commit petit Treason, or wilfull murder, or to doe any Robberie in any dwelling house, or in or nere any highway, or within the Parishes of Engl. against Scotland, or wilfully to burne any dwelling house, or any part thereof, or any barne then having corne therein, and is thereof outlawed, or otherwise attainted, or convicted, or being arraigned doth stand mute of malice, or doth challenge peremptorie above 17. or will not answer to such offence. 4 & 5. P. & M. 4.

Attainted where the goods were carried.

7 For he which is indicted, arraigned, and attainted, or refuseth lawfull trial in a countie where he was taken with the maner, and whereunto the goods stolen in a sojrein countie were conveyed, if so be that he might not have had his Clergie in the other countie wherein the goods were stolen. 2. H. 8. 3. 5. Ed. 6. 10.

Forger of deeds.

8 For he which being once convicted, or condemned of any of the offences prohibited by the Statut provided 5. Eliz. against the forging of evidences, & writings, by any of the waies in the same stat. limited, shall after any his such condemnation, eftsoones commit any of the said offences in sojme in the said stat. expressed. 5. El. 14. S. Forger &c. 4.

Souldier.

9 For any Souldier serving the King in his warres, in any of his Dominions or on the Sea, or beyond the Sea, or in Scotland, or in any Garrison, which departeth without licence of the Lieutenant, High Admirall, Viceadmirall, Warden, or Captaine, and in their absence, of their Lieutenants. 2. Ed. 6. 2. S. Capraine 3.

Rape.
Burglarie.

10 For he which is attainted by confession, verdict, or outlawrie, for any felonious rape, ravishment, or burglarie, or for unlawfull and carnall knowledges and abuse of any woman child under the age of ten yeares. 18. Eliz. 6.

Egyptian.

11 For any person of the age of fourtene yeares or above, calling himselfe an Egyptian, or being in companie with them, or counterfeiting, or disguising himselfe by his apparrell, speech, or other behaviour like unto the Angabonds calling themselves Egyptians, and so doth continue, at one or severall times by the space of a moneth. 1. & 2. P. & M. 4. 5. Eliz. 20. S. Egyptians 2.

12 For he which doth take away a maid, widow, or wife, against her will, having lands &c. 39. Eliz. 9. S. Women. 12. 13.

Wilfull murder.
Poysoning.
Robbing in highways.
Stealing of horses.
Robbing of Churches.
Robbing of houses.

13 For he which doth commit any wilfull murder, or wilfull poysoning of malice prepenced: For which doth rob any person, in or nere unto the highway: For which doth steale any horses, geldings, or mares, (or any horse, gelding, or mare. 3. Ed. 6. 33.) For he which is accessarie to such felonie, before such felonie done or after. 3. 1. Eliz. 12. For which doth feloniously take goods out of any Church or Chappell: For which doth breake any house by day or by night, any person being in the same, and thereby put in feare, or doth robbe any person in any part of his dwelling house, or dwelling place, the owner and dweller in the same house, his wife, his children, or servants, being then within the same house or place where the robbery was done, or in any other place within the precinct of the same house, or dwelling place, and then being waking or sleeping: For which doth robbe any person being in a tent or booth in a faire or market, the owner, his wife, children, or any servant, then being within the same booth or tent, whether they then and there being sleeping

Robbing of bothes.

sleeping or waking, and is of any of the said offences in due forme of law attainted or convicted, or being indicted or appealed of any of the same offences, and thereupon found guiltie by verdict, or shall confesse the same upon his arraignment, or will not answer directly according to the Lawes of this Realme, or shall stand wilfully, or of malice mute. 23. H. 8. 1. 32. H. 8. 3. 1. Ed. 6. 12. 5. Ed. 6. 9. S. Faires &c. 8. If any person or persons shall be found guiltie, and convicted by verdict, confession, or otherwise, according to the Lawes of this Realme, for the felonious taking away in the day time, of any money, goods, or cattell, being of the value of five shillings, or upwards, in any dwelling house, or houses, or any part thereof, or any outhouse, or outhouses, belonging, and bled to & with any dwelling house or houses, although no person shall be in the said house or outhouses, at the time of such felonie committed: When such person and persons shall not be admitted the benefit of his or their Clergie, but shall be utterly excluded thereof. 39. Eliz. 15.

14 For he which doth wittingly and willingly receive, relieue, comfort, ayde, or maintaine any Jesuite, Seminarie Priest, or other Priest, Deacon, or Religious or Ecclesiasticall person whatsoever, being borne within this Realme, or any other the Quenes highnesse Dominions, and heretofore (since the feast of S. John the Baptist An. primo Eliz.) ordained, made, or professed, or hereafter to be made, ordained, or professed by any authoritie, or irrefutation, deriued, challenged, or pretended from the sea of Rome, being at libertie, or out of hold, knowing him to be a Jesuite, Seminarie Priest, or such other Priest, Deacon, or Religious or Ecclesiasticall person as is aforesaid. 27. Eliz. 2. S. Iesuices 3.

15 In all other cases of Felonie, other then such as be before mentioned, every person which shall be arraigned, or found guiltie upon his arraignment, or shall confesse the same, or shall stand wilfully, or of malice mute, or will not answer directly, shall have and enjoy the privilege of his Clergie, in like maner, as he should have done before the 24. April Anno 1. H. 8. 1. Ed. 6. 12.

16 Every person (not being without Orders) which once hath been admitted to the benefit of his Clergie, being afterwards arraigned of any such offence, shall not be admitted to have the privilege of his Clergie. And every person convicted shall be marked by the Gaoler openly in the Court before the Judge. 4. H. 7. 13. Such as be within holy Orders shall be and stand under the same paines and dangers for their offences &c. and be bled and ordered to all intents, as other persons not being within holy Orders shall be. 28. H. 8. 1. 32. H. 8. 3. Attamen vide 1. Ed. 6. 12. and 1. & 2. P. & M. 8. et Quare.

17 Every person that by any Statutes or Lawes of this Realme ought to have, or be admitted the benefite of his Clergie, shall be admitted to his Clergie, although he hath been sundry times married to any single woman, or single women, or to any widow, or widows, or to two wives, or more. 1. Ed. 6. 12.

18 Every person which shall upon his arraignment for any Felony be admitted to his Clergie by the Lawes of this Realme, and shall before the same admission have committed any other offence, whereupon Clergie by the Lawes and Statutes is not allowable, and not being thereof before indicted, and acquitted, convicted, or attainted, or pardoned, shall and may be indicted, or appealed for the same, and thereupon ordered and bled in all things according to the Lawes, in such maner as though no such admission of Clergie had been. 8. Eliz. 4. And every person which shall be admitted to have the benefite of his Clergie, shall notwithstanding his admission to the same, be put to answer to all other Felonies whereof he shall be indicted, or appealed, and not being thereof before acquitted, convicted, attainted, or pardoned, and shall in such maner and forme be arraigned, tried, adjudged, and suffer such execution for the same, as he should have done if

(as

Robbing of a house in the day time. wherein there is no person.

Receiving or relieving any Jesuit or Priest.

Clergy allowable in all other cases.

Clergy allowable but once.

Convicted persons marked.

Orders of the Church. Quare.

Bigamus allowed his Clergie.

He that is allowed his Clergie, shall answer to former offences.

Clergie. Clerke of the Market.

(as Clerke commit) he had been deliuered to the Ordinarie, and there had made his purgation. 18. Eliz. 6.

A Lord of the Parliament. 19 In euery case where any of the Kings Subiects may vpon his prayer haue the priuiledge of Clergie, as a Clerke commit, that may make purgation, in all those cases, and also in euery case of Felonie wherein the priuiledge of the Clerke is taken away by the Statute of 1. Ed. 6. (wilfull murder, and poisoning of malice prepensed only except) viz. for the breaking of any house &c. robbing any person in or neere vnto the high way, stealing of horses, or robbing any Church or Chappel, a Lord of the Parliament, and Peere of the Realme, hauing place and voice in parliament, shall of common grace vpon his request, alledging that he is a Lord, or Peere of the Realme, and claiming the benefite of this Statute, though he cannot read, without any burning in the hand, losse of inheritance, or corruptio of blood, be taken, and vled for the first time only as a Clerke commit, which may make purgation, without any farther, or other priuiledge of Clergie, so any such Lord, or peere from thenceforth at any time after, for any cause to be allowed. 1. Ed. 6. 12.

Clergy allowed without deliuerie to the Ordinarie.

20 Euery person which shalbe admitted to haue the benefite of his Clergie, shal not thereupon be deliuered to the Ordinarie, as hath been accustomed but after such Clergie allowed, and burning in the hand, shall forthwith be enlarged, and deliuered out of prison by the Iustices befoze whom such Clergie shalbe graunted. But the said Iustices shal & may for the further correccion of such persons to whom Clergie shalbe allowed, detaine them in prison for such conuenient time as the said Iustices shall thinke conuenient, so as the same doe not excede one yeares imprisonment. 18. Eliz. 6.

1 In what cases the benefite of Clergie shalbe taken from wandring Souldiers or Mariners, S. Mariners 4. 5. 6. S. 4. H. 4. 3.

Clerke of the Market.

Clerke &c. shal take no common fine.

The Clerke of the Market of the Kings house, shall take no common fine, but euery person which is found in default touching the same office, shalbe punished according to his deserts. The said Clerke shall ride but with five horses at the most, and shall not carrie in any Towne, or other place, longer then the necessitie of his businesse doth require, and if he doe any thing contrarie to this Statute, and is thereof duely conuicted, he shall pay to the king at the first time C. s. at the second time tenne pounds, and at the third time twenty pounds. 13. R. 2. 4. The Clerke of the Market shall haue all his weights and measures signed according to the Standard of the Erchequer with him, when he goeth to assay weights and measures. And he nor none other shall vse any other weights or measure. 16. R. 2. 3.

The Clerke shall haue his weights with him.

Clerke &c. of the Kings house shall vse the offices within the verge.

2 In all places wheresoener the King in his owne Royall person shall come to rest, tarry, abide, or make his repose within any his Dominions, within liberties, or without, there and within the verge limited or accustomed to his Court, during the time of his abode, his Graces Clerke of the Market, and none other during the same time, aswel within the liberties as without shal exercise the office of a Clerke of the Market: any priuiledge, graunt, allowance, or other thing to the contrarie notwithstanding: but this shall not be preiudiciall to the City of London: But the said City may vse such liberties as they might befoze &c. 27. H. 8. 24. 32. H. 8. 20.

Clerke of Assise.

No Clerke of Assise during the onely time of the Session, or for any Assises, or Nisi prius, shall be of counsell with any person within any circuit, whereof

whereof he shall bee clerke of Assise, otherwise than to that office onely appertaining, upon paine to forfeit for everie time offending to the contrarie ten pounds to the King and *P.* grieved, to be recovered by *A. J. &c.* wherein no *W. C. P. &c.* 23. H.

8.24.

1 The Clerke of Assise may execute his office in the Countie where he was borne, or doth dwell. *S. Iustices of Assise* 5.

Clerkes of the Signet, and Priuie Seale.

All and everie gift, graunt, and other writing, which shall bee made, or given in writing by the King, or any his posteritie, to any person or persons, signed with his signe, or the Signe or Signes Manuall of any of them, to be passed vnder any of his Great Seales of England, Ireland, Duchie of Lancaster, or of any of his countiees Palantine, or Principallitie of Wales, or by other Proces out of the Exchequer: And all and everie Gifts, Graunts, and other Writings, of what name or names, qualitie or qualities soever the same be, or hereafter shall be named, deemed, or called, which the Passer of the Kings Wards for the time being, or any other officers that now bee, or hereafter shall be made, shall by vertue of any Act of Parliament, or any of the Kings graunts to them, or any of them made, or hereafter to be made in that behalfe, give, graunt, or make to any person or persons in the Kings name, to bee passed vnder anie his Paleties Seales, be in any wise first and before the same graunts, or any of them be passed vnder the Kings said Seales, or other proces made of the same, brought and deliuered to the Kings principall Secretarie, or to one of the Kings Clerkes of his Signet, for the time being, to be at the said office of the Signet passed accordingly. 27. H. 8. 11.

The Kings grants shall be brought to the Clerkes of the Signet

2 One of the Clerkes of the said Signet, to whom any the said writings signed with the kings hand, or the hand of any other aforesaid, or any of them, shall fortune to be deliuered, may & shall by vertue of the same bills, and everie of them, within the space of eight daies next after he shall haue receiued the same, (vnles he haue knowledge by the said Secretarie, or otherwise, of the Kings pleasure to the contrarie) make, or cause to be made in the kings name, Letters of warrant, subscribed with the hand of the same Clerke, & sealed with the kings Signet, to the Lord Keeper of the kings Priuie Seale, for further proces to be had in that behalfe. And one of the kings Clerkes of the said priuie Seale, upon due examination had by the said Lord Keeper of the said priuie Seale, of the said warrant to him addrested, from the office of the said Signet, as is aforesaid, may & shall within the space of eight daies next after hee shall haue receiued the same (vnlesse the Lord Keeper of the priuie Seale doe give them commaundement to the contrarie) make, or cause to be made by warrant of the aforesaid warrant to the said Lord Keeper of the priuie Seale, addrested from the office of the Signet aforesaid, other letters of like warrant, subscribed with the name of the same Clerke of the priuie Seale, to the Lord Chancelor of England, Lord Keeper of the great Seale, Chancelor of the Duchie of Lancaster, Chancelor of the kings land of Ireland, Treasurer and Chamberlaines of the Exchequer, and Chamberlaines of any of his Countiees Palantines, or Principallitie of Wales, or other officer, & to everie of them, for the writing, & in sealing with such Seale, as remaine in their custodie of letter patent or closed, or other proces making, due or requisite to be had or made vpon any the said graunts, according to the tenor of the warrant to them or any of them directed from the office of the Priuie Seale, as is before specified. 27. H. 8. 11.

A warrant to the priuie seale

A warrant from the priuie Seale, to the great Seale.

3 No manner of clerke, or clerks, or other person or persons shall write, or make any manner writing, warrant, or warrants vpon any gift, or grant made by the *K.*

The penaltie for altering the course aforesaid.

Clerkes of the Signet, and Priuie Seale.

or by any other his officers, as is aforesaid, or procure the same, or any of the same to be passed under any the seales aforesaid, after any such sort, manner, or fashion, or by any other warrant or warrants than as is before specified and declared, upon paine to forfeit for euery Bill, warrant or writing passed contrarie to the order before limited &c. to the R. and J. to be recovered by A. of debt, P. or J. in any of the R. courts, wherein no P. C. D. P. or W. shall be admitted: Any stat. provision, ordinance, &c. notwithstanding. 27. H. 8. 11.

fees for writings which passe by immediate warrant.

4 Euery of the said Clerkes, or other person, which shall passe in writing, or procure to be passed in writing, any graunt, or graunts, by immediate warrant, wherefore fees be payed at the great Seale, shall of the parties receive for the Offices of the said Signet, and priuie Seale, as well such fees as in this Act is tared for writing any such graunt, or other writing, as also the fees for the Seale of the same: Which Fees, and euery part & portion thereof, the same Clerke or Clerkes by whom any graunt shall passe in writing by immediate warrant, shall upon a Bill of the hand of one of the Clerkes of the said Signet, or priuie Seale, deliver unto one of the same Clerkes of the Signet, or Priuie Seale, within three Moneths next ensuing after the passing and sealing of any the said graunt or graunts, by immediate warrant, upon paine of tenne l. sterling, to be by euery such of the said Clerkes, or other persons, as shall offend, forfeited, to be leuied in forme aforesaid, as oft as he or they shall offend contrarie to the meaning of this Act. 27. H. 8. 11.

No preiudice to the Lord Treasurer.

5 Provided that this Act be not in any wise preiudiciall to the Lord Treasurer of England for the time being, concerning such Warrants or Precepts, as hee by vertue of his Office, shall and may direct immediatly to the Lord Chaunceloz of England, or to any other person, for making out of the Kings graunts, or Letters patents to any person or persons of any offices, fermors of lands or tenements, or of any other things belonging to his nomination and disposition: but that as well hee may direct his said warrants or precepts for the causes aforesaid, as also his Clerke or Clerkes, or other person may procure the same to be sealed under anie of the Clerkes aforesaid, without any warrant to be before or after sued or obtained under the R. Signet or Priuie Seale for the same, in as large and ample manner, and after such sort & fashion, as hee or they might haue done at any time before the making of the said Act: Any thing in the same mentioned to the contrarie notwithstanding. 27. H. 8. 11.

Leases of Duchie lands

6 Provided also, that all and euery Lease or Leases of the Kings Manours, lands, tenements, possessions, or other profits, or hereditaments within the Countie Palantine of Lancaster, or of the Duchie of Lancaster out of the said Countie Palantine, which the Chaunceloz of the Duchie of Lancaster for the time being, or the Chaunceloz of the said Countie Palantine for the time being, or either of them, shall grant or make in the name of the R. his heires or successors, to any person or persons, shall & may passe, and be passed under the seales of the said Duchie of Lancaster, or of the said Countie Palantine of Lancaster, or of either of them, in manner and forme as heretofore hath bin used: Any thing in this Act &c. notwithstanding. 27. H. 8. 11.

I graunt of a small office in the Duchie.

7 Provided also, that all and euery gift, graunt, and Patent of any manner of Office or Offices, or any other thing, being, or which hereafter shall be in the Countie Palantine of Lancaster, or of the said Duchie of Lancaster out of the said Countie Palantine, the yearly wages or fees whereof amounteth not over above the value of y. s. by the day, shall & may passe and be passed by the Chaunceloz of the Duchie of Lancaster, or by the said Chaunceloz of the said Countie Palantine, or either of them for the time being, in manner and forme as heretofore hath bin used: Any thing in this Act &c. notwithstanding. 27. H. 8. 11.

Clerkes of the Signet, &c. Clerkes of the Chauncerie. 158

8. All and every Clerke and Clerks of the Signet, and Priuie Seale, shall haue and take for his, or their writing of a warrant vpon a Bill of Exchequer, or reward, or pence, for the writing of a warrant for the gift of euery Office xx. s. for the writing of a warrant for a Pension, Annuite, or wages xx. s. for the writing of a warrant for a speciall Lincerie, or other Perpetualltye by s. big. s. for the writing of a warrant vpon euery bill for a Conge de l'ier, royal assent, restitution of Temporalities, donations, aduocations, presentations, or other ecclesiastical matter, 3. s. 4. d. for the writing of euery warrant vpon a Placard, Licence, Pardon, or Sherifes reward y. s. for the writing of euery warrant vpon a Denizen, 3. s. 4. d. for the writing of a warrant for keeping of an Ideot xx. s. for the writing of a warrant for the keeping of a Ward, 3. s. 4. d. And no Clerke or Clerkes of the Signet, or Priuie Seale aforesaid, shall take for the writing of any manner warrant above specified, more large and ample fees, than is before prescribed, vpon paine of x. pounds to be forfeited to the H. and C. to be recovered by H. or C. in any of the Kings courts, wherein no C. P. or W. &c. shall be admitted, 27. H. 8. 11.

9. Provided that the said A. Chauncelor of England, for the time being, shall and may at all times vse his discretion in passing & speeding any time by the great Seale, & deliuering the same without paying any fees for the great Seale, Signet, and Priuie Seale, as the case of necessitie shall require, and as hath bene accustomed. And that the Clerkes for writing, or procuring such writings and Patents by his commaundement, shall be discharged of all penalties expressed before in this Act, for not receiuing & paying fees to the Signet, and Priuie Seale: Any thing in this act &c. notwithstanding. 27. H. 8. 11.

10. Provided neuertheless, that this Act shall not in any wise be prejudiciall to any person or persons, whom the King shall by expresse commaundement, direct, send, or appoint to procure any thing or things to be sealed with any of his Patentes Seales, for, or concerning his priuate affaires, or the affaires of his Realme: But that aswell the same person or persons being appointed by the King as aforesaid, as all such officer and officers as shall haue the keeping of any of the Kings Seales, their Ministers and Clerks shall and may seale, write, and deliuer, & procure the sealing, writing, and deliuering of any such thing or things concerning the Kings affaires, as aforesaid, without being bound, or procuring any manner warrant, or paying any fees to the Signet, or priuie Seale for the same, so that the name or names of euery such person or persons as shall procure the sealing of any such thing or things on the Kings behalfe, as is aforesaid, bee entred in the Clarke of the Hamperes Booke, after this sort: Per A. ad mandatum Domini Regis: Any thing in this act &c. notwithstanding. 27. H. 8. 11.

11. This act shall not in any wise be prejudiciall to any person or persons, which haue by the King, or by any of his officers, the graunt or lease of any manner ferme or fermes, to be sealed with any his Seales, the yerely rent whereof amounteth not aboue the summe of 6. l. 13. s. 4. d. sterling. But aswell euery such person and persons, as officer or officers hauing the custodie of such seale or seales, their ministers and clerks may write, seale, and deliuer, or procure the writing, sealing, and deliuering of any such lease or leases, as aforesaid, without paying therfore any manner of fees, at, or to the Signet, or priuie Seale, for the same: Any thing in this act &c. notwithstanding. 27. H. 8. 11.

Clerke of the Signets fees.

The Lord Chauncelor may passe things without fees.

Sealing of things touching the affairs of the realme.

Fermes by der 6. l. 13. s. 4. d.

Clerkes of the Chauncerie.

The five Clerkes of the Chauncerie that now be, and all other which in time to come shall be in the said office, may take all wages, any manner, and may their office of five Clerkes, in as ample manner as they did before: Though of old time

by Clerkes may write.

Clerkes of the Chauncerie. Clerke of the P. Common.

it was accustomed, that all Courtiers, Spinners, and Clerkes of the Chauncerie, writing to the great Seale, should be unmarried (Saving onely the Clerke of the Crowne.) But by this Act the Master of the Rolles shall not bee prejudiced, in giving, and disposition of the said Offices, from time to time, as hath bin accustomed. And the said Officers shall give such attendance unto the said Master of the Rolles, as heretofore in the said offices hath bene accustomed. 14.H. 8.8.

Clerke of the Peace.

Custos Rotulorum shall appoint Clerke of the Peace.

Clerke of the Peace may make a deputy

Everie Custos Rotulorum, for the time being, shall at all times in everie Shire of this Realme, Wales, and other the Kings Dominions, Marches, and Territories of the same, assigne everie person which shall be Clerke of the Peace, within any of the said Shires, Dominions, Marches, and Territories of the same, and graunt the same office of the Clerkship of the peace to such able person instructed in the Lawes of this Realme, as shall bee able to exercise the same, to enjoy the same during the time that the said Custos Rotulorum shall exercise the sayde office of Custos Rotulorum, so that the said Clerke demean him in the said office justly and honestly. And it shall bee lawfull to everie such Graantees of the said Clerkeshipe, to occupie the same office by himselfe, or his sufficient Deputie instructed in the Lawes of this Realme, so that the same deputie be admitted by the Custos Rotulorum, to be sufficient and able to exercise and enjoy the same office. 37. H. 8.1.

- 1 The fees of the Clerke of the Peace, for everie Recognizance and Licence granted to every Badger, Lader, Drouer, &c. S. Badger.
- 2 For the Clerke of the Peace his fee, and dutie, for the Inrolment of any deede. S. Inrolments 2.

Collector.

Everie graunt, patent, or writing that shall be made to any person by any Archbishop, or Bishop alone, or by any of them, and confirmed by Chapter seale of the office of Collector of the Tenthys yearly due to the Kings Maestie within the Diocese and Bishoprick of the grantor, by reason of the statute of First fruits and Tenthys, shall abide in his force no longer time than the grantor shall remain Archbishop or bishop of the same &c, wherof he was possessed at the time of his said grant: Any confirmation of the said grant, custome, law, or statute &c. notwithstanding. 7. Ed. 6. 4. 1. El. 4. See for Collectors, Accomprants 40. 41. And Q. whether they shall be bound to save the Bishops harme lesse.

- 1 How Collectors of Dismes accompting in the Exchequer may be charged in the same, or other courts, to answer to other. S. Accomprants &c. 49.
- 2 That the lands, goods, &c. of Vndercollectors of tenthys and subsidies be chargeable to the Q. for the satisfying of their receit. S. Accomprants &c. 40. 41.
- 3 Collectors for the repaying of Bridges, their receit, charge, and accompt. S. Bridges 3. 4.
- 4 The dutie, receit, charge, and accompt of the Collectors for the poore. S. Poore 2. &c.

Common.

Where one having no right to Common, usurpeth Common, what time he is within age, or what time a woman is covert, or whilst the person

sure is in the hands of tenants in dower, by the curtesy, or otherwise for terms of life, or yeares, or in fee taile, and the pasture be long vied, many hold opinion, that such pastures ought to be said appurtenant in freehold, & that the possessor ought to haue Action by writ of Nouel disseisin, if he be despoiled of such pasture. But from henceforth this must be holden for Law, that such as haue entred within the time that an Assise of Mortdancester hath lyeen, if they had no Common before, shal haue no reuerie by a writ of Nouel disseisin, if they be despoiled. West. 2. 13. Ed. 1. 46. S. Approuements.

Commission, Commissioners.

Where a Commission is directed to any person to heare and determine, or to inquire and certifie, which Commissioners neuer know of the same Commission, neither yet the same ever came to their hands, if the same Commissioners be distrained by p[ro]cess forth of the Exchequer for iudges lost by reason of the said Commission, they may take their oathes before the Barons of the Exchequer, of their excuse and discharge of the receipt or occupying of the said Commission. And also the Barons of the Exchequer & the Justices of the one Bench, and the other haue power by writ of Dedimus potestatem, to receiue such oaths in the Countrey, and thereof to certifie the Barons into the Exchequer, whereupon the Barons shal discharge the said Commissioners: And in like sort it shal bee done for the heires, executors, or land tenants of the said Commissioners. But such oaths shal not bee taken, but in cases of Commissions to heare and determine, and to enquire & certifie. 7. H. 4. 11.

Commissioners not receiving the Commission.

2 In all inquiries within this Realme, Commissions shal be awarded to some of the Justices of the one Bench, or of the other, or Justices of Assise, or Justices of the Peace, with other of the most worthy men of the countrey, as well for the Kings profit, as the Commons (sauing in the office of Escheatorship, or matter touching that office.) 42. Ed. 3. 4.

1 For the authoritie of Commissioners which are to inquire of Bankrupts, and what they shall do in euery respect. S. Bankrupts 2. &c.

Bankrupts

2 For all the authoritie of the Commissioners of Sewers, and what in euery respect is to be done by force of the said Commission. S. Sewers 1. &c.

Sewers.

3 In what cases commissions shal be directed to inquire of Purueyors behauiour. S. Purueyors 18.

Purueyors.

4 Where one commission of the peace shal not be *Superseas* to another. S. Iust. of Peace 109.

Commission of Peace.

5 For commission to inquire of offences done vpon the Sea, and for the commissioners authoritie. S. Piracie 1. 2. 4.

Piracie.

6 Purueyors shall shew their commissions to them, of whom they take any thing. S. Purueyors 3.

Purueyors.

7 The substance, forme, and continuance of commissions granted to Purueyors. S. Purueyors 25. 26. 27. 31.

Purueyors.

8 Where commissions shal be granted to inquire of Iust. of peace and sherifes defaults for not inquiring of Riots. S. Riots 6.

Riots.

9 In what cases Treasons may be tried in any countie, by speciall commission. S. Treason 9.

Treason.

10 In what cases a commission shal be granted to inquire of the misdemeanour of Villaines. S. Villaines 1.

Villaines.

11 In what case a commission shal be granted vpon an appeale out of an Archbishops court. S. Appeales 5.

Appeales.

12 No suit before certaine Iustices and Commissioners shall be discontinued by a

Condition, Couenant. Condite. Coniuration, &c.

a new commission. S. Discontinuance of proces 6.
 13 Commissions vpon Appales vpon Ciuile or Marine causes. See Ap-
 peales 8.
 14 The commission for executing spirituall iurisdiction, and the Commissioners
 authoritie. S. Crowne 3.
 15 Commissions granted to inquire for Money gathered for houses of correction,
 or stockes for the poore. S. Vagabonds 13.
 16 Commissions to enquire of the misemployment of lands or goods giuen to god-
 ly vses. S. Hospitals 10.

Condition, Couenant.

Grantees of
 reuerfions
 aduantage a-
 gainst lessees.

Lessees ad-
 uantage a-
 gainst gran-
 tees in reuer-
 fion.

As well all and euerie person and persons, and bodie polittike, their heirs, suc-
 cessors, and assignes, which haue any gift or grant of King Henrie the eight,
 by his letters patents, of any Lordships, manours, lands, tenements, rents, parso-
 nages, tithes, portions, or any other hereditaments, or of any reuerfion or reuerf-
 ions of the same, as also all other persons being grauntees, or assignees, to or by the
 said King, or to or by any other person or persons, then the said King Henrie the
 eight, and the heirs, executors, successors, and assignes of euerie of them, shall and
 may haue, and enioy like aduantages against the lessees, their executors & assignes,
 by entrie for non payment of the rent, or for doing of waite, or other forfeiture, and
 also all and euerie such like, and the same aduantage, benefit, & remedies by action
 only, for not performing of other conditions, couenants, or agreements, contained
 and exprest in the Indentures of their said leases, demises, or grants, against all
 and euerie the lessees, fermors, and grauntees, their executors, administrators, and
 assignes, as the said lessors or grauntoes themselves, or their heirs or successors
 ought, should, or might haue had and enioied at any time. 32.H.8.34.

2 All fermors, lessees, and grauntees, of Lordships, manours, lands, tenements,
 rents, parsonages, tithes, portions, or any other hereditaments for terme of yeres,
 life, or liues, their executors, administrators, and assignes, shall and may haue like
 action, aduantage, and remedie against all and euery person and persons and bodie
 polittike, their heirs, successors, and assignes, which haue or shall haue any gift or
 grant of any person or persons, of or reuerfion of the same manours, lands, tenements
 and other hereditaments so letten, or any parcell thereof, for any condition, cou-
 nant, or agreement contained, or exprest in the Indentures of their lease or leases,
 as the same lessees, or any of them might and should haue had against the said les-
 sors & grauntoes, their heirs or successors (all benefits and aduantages of recoveries
 in value, by reason of any warrantie in deed, or in law by voucher or otherwise on-
 ly excepted.) 32.H.8.34.

1 Conueyance of land, lease, or rent with condition of reuocation or alteration. S.
 Fraudulent deeds 7.

Condite.

If any person doe wilfully, maliciously, and vnlawfully cut, or cause to be cut out
 the head or pipe of any Condite of any other persons, he shall lose to the partie grie-
 ued treble damages, to be recovered by action of trespass, and shall forfeit to the R.
 x. s. for a fine. 37.H.8.6.

Coniuration, Enchantment, Witchcraft.

Coniuration
 or enchantment
 whereby any
 person is kil-
 led or lawed.

If any person or persons shall vse, practise, or exercise any innocation, or coniu-
 ration of any euill and wicked spirit, or shall consult, couenant with, entertaine,
 employ,

Coniuration, Enchantment, Witchcraft. Conspiracie. 160

employ, feed, or reward any euill and wicked spirit, to or for any intent or purpose, to take by any dead man, woman, or child, out of his, her, or their grave, or any other place, where the dead bodie resteth, or the skin, bone, or any other part of any dead person, to bee employed or used in any manner of witchcraft, sorcery, charme, or Enchantment, or shall vse, practise, or exercise any witchcraft, enchantment, charme, or sorcery, whereby any person shall be killed, destroyed, wasted, consumed, pined, or lamed in his or her bodie, or any part thereof: Then euerie such offendour, or offendours, their aidours, abettours, and counsellours, being of any the said offences duely and lawfully convicted and attainted, shall suffer paines of death as a felon, or felons, and shall lose the priuiledge and benefit of Clergie and Sanctuarie. 1. Iac. 12.

2 If any person or persons shall take vpon him or them by witchcraft, enchantment, charme, or sorcery, to tell, or declare in what place any treasure of gold or silver should or might be found, or had in the earth, or other secret places, or where goods, or things, lost, or stolne, should bee found, or become, or to the intent to prouoke any person to vnlawfull loue, or whereby any cattell or goods of any person shall be destroyed, wasted, or impaired, or to hurt or destroy any person in his or her bodie, although the same bee not effected and done, then all and euerie such person and persons so offending, and being thereof lawfully convicted, shall for the same offence suffer imprisonment by the space of one whole yeare without bayle or mainprise, & once in euerie quarter of the sayd yeare, shall in some Market towne, vpon the Market day, or at such times as any Faire shall be kept, there stand openly vpon the Pillorie by the space of six houres, and there shall openly confesse his or her error and offence. 1. Iac. 12.

3 If any person or persons being once convicted of the said offences, as is aforesaid, do effoones perpetrate and commit the like offence, then euerie such offendour, being of any the said offences the second time lawfully and duely convicted and attainted, as is aforesaid, shall suffer paines of death, as a felon or felons, and shall lose the benefit and priuiledge of Clergie and Sanctuarie. Having to the wife of such person as shall offend in any thing contrarie to this at her title of Dowry, and also to the heire, and successor of euerie such person, his or their titles of inheritance, succession, and other rights, as though no such attainer of the Ancestour or predecessour had been made. 1. Iac. 12.

4 Provided alwaies, that if the offendour in any the cases aforesaid, shall happen to be a Peere of the realm, then his triall therein to be had by the Peeres, as it is vied in cases of Felonie or Treason, and not otherwise. 1. Iac. 12.

Declaringe
where things
be hidden, or
procuring
lawfull loue.

The penaltie
for the second
offence.

Conspiracie.

Conspiratozs bee they which bind themselves by oath, couenant, or other alliance, that euerie one shall helpe and maintaine others purpose, falsly, and maliciously to indite, or to moue or maintaine suits: And also that cause Infants to appeale other of felonie, whereby they are imprisoned and much grieved: And such as retaine men in their countrie with linneries or fees, to maintaine their lewd enterprises, and to subuert the truth, aswel the takers, as the giuers: And bailiffs and Stewards of great Lords, which by their Seigniozie, office, or power, doe vnder take to maintaine or vphold other quarrels or suits, than such which concerne their Lords, or themselves. 33. E. 1.

2 A man shall haue a Writ out of the Chauncerie against Conspiratozs, false Informers, and Ambageozs of Assises, Enquestes, and Juries: And also Justices of either Bench, and of Assise, when they come into the countrie to take Assises, shall

who be Conspiratozs.

The punishment of Conspiratozs.

Conspiracie. Conuocation.

shall make inquirie thereof vpon any mans plaint without writ, and shall without delay do right to the Plaintifes. 28. Ed. 1. 10.

Conspiracie
vpon appeales
et. of felonie
committed in
a place suppo-
sed, where
there is no
such.

3 Appeales and Inditments of Treason and Felonie, supposed to be done in places where there bee no such places in the said Countie, bee void, and also the proces thereupon awarded: And they which be indicted or appealed, may haue a writ of Conspiracie against their Indictors, procurors, and conspirators, and shall recover their damages, and the Indictors, Procurors, and Conspirators, shall bee imprisoned, make fine and ransom to the King, by the Iustices discretion. 18. H. 6. 12.

Conspiracy to
destroy the K.
or any Lord.

4 The Steward, Treasurer, and Controller of the Kings house for the time being, or one of them, haue full authority and potuer to inquire by twelue sad men, and discret persons of the Cheeke Roll of the Kings honourable Household, if any seruant admitted to be his seruant swozne, and his name put into the Cheeke roll of Household, whatsoever hee bee, seruing in any manner office, or roome, reputed, had and taken vnder the estate of a Lord, make any Confederacies, compassings, conspiracions, imaginations with any person or persons, to destroy or murder the King, or any Lord of this Realme, or any other person swozne vnto the Kings Councell, Steward, Treasurer, Controller of the Kings House: That if it bee found before the said Steward for the time being, by the sayd twelue men, that any such of the kings seruants, as is abovesaid, hath confederated, compassed, conspired or imagined, as is abovesaid, that hee so found by the inquirie, bee put thereupon to answer. And the Steward, Treasurer, and Controller, or two of them, haue power to determine the same matter according to the Law. And if hee be put in triall, that then it bee tried by other twelue sad men of the same household. And that such misdoers haue no challenge but for malice. And if such misdoers be found guiltie by confession, or otherwise, that the said offence be iudged felonie: and they to haue indgement and execution, as Felons attainted ought to haue by the common Law. 3. H. 7. 14.

Challenge.

1 For conspiracies or agreements made by artificers, touching selling their Viuals, or doing their workes. S. Artificers 1. 2. Corporation 7.

Conuocation.

The clergies
liberties at the
Conuocation.

All the Clergie which bee called to the Conuocation by the Kings Writ, and all their seruants and familiars, shall fully vse and enioy such libertie or defence in comming, tarrying, and returning, as the great men, and commons of the Realme haue, or are wont, or ought to enioy, which are called to the Parliament. 8. H. 6. 1.

The Clergies
constitutions.

2 The Clergie, nor any of them, shall presume to attempt, alledge, claime, or put in vze, any constitutions, or ordinances prouinciall or synodall, or any other Canons, nor shall enact, promulge, or execute any such Canons, Constitutions, or Ordinances prouinciall, by whatsoever name or names they may bee called in their Conuocations (which alwaies shall bee assembled by authority of the Kings writ) vnlesse the same clergie may haue the kings roial assent, and licence to make, promulge, and execute such Canons, Constitutions, and Ordinances prouinciall or synodall, vpon paine of euerie of the said Clergie doing contrarie to this act, and being thereof conuict, to suffer imprisonment, and make fine at the K. wil. 25. H. 8. 19. 1. El. 1.

Assemblies for
religion shalbe
only within
England.

3 No person resiant in any of the kings dominions, shall depart out of the said Dominions to or for any visitation, congregation, or assemblies for Religion, but all such visitations, congregations, and assemblies, shalbe within the K. dominions 25. H. 8. 21: 1. El. 1.

Copi-

Copiholds and Copiholders.

Whereas the *H. Maieſtie* is given to vnderſtand that diuers of his loving Subjects holding lands, tenements, and hereditaments, by Copie of court Roll of diuers of his *Manoꝝ*, are notwithstanding ſubiect to much queſtion and exception, either befoze the ſaid Lands, Tenements, and Hereditaments were not perhaps originally parcels of the ſaid *Manoꝝ*, noꝛ time out of mind, according to the ſtrict interpretation of Law, haue beene Copihold Lands, oꝛ Tenements demifed oꝛ demifable by Copie of Court Rolle of the ſaid *Manoꝝ*: *¶* becauſe the fines payable foꝛ admittances vpon Deſcents, Surrenders, Graunts, and Ali- nations of oꝛ to their ſuch Copie hold Lands, Tenements, and hereditaments, and other their vsages, cuſtomes, liberties & priuiledges concerning the ſame are either vncertaine, oꝛ not ſo plaine, but that both foꝛ the preſent and future times, much trouble, loſſe and diſquiet may ariſe and happen vnto ſuch Copihold Tenants. And where his *Maieſtie* taking knowledge of the premiſſes and minding to doe ſauour to all his loving Subjects in thoſe caſes, and to ſettle, ſecure, and eſtabliſh their copihold eſtates according to true meaning: Hath beene pleaſed that the Lord Treas- ſurer of England, and the Chanceloꝛs of his Courts of Erchequer and Duchie reſpectiuelly ſhould take oꝛder vpon reaſonable compoſitions to bee made with his *Maieſtie*, as to their wiſdome ſhould ſeeme fit, by ſuch Tenants, to eſtabliſh their Copie hold eſtates, by decrees of the ſaid ſenerall courts reſpectiuelly, according to true meaning. In perfoꝛmance of which his gracions directions, diuers decrees of that nature haue bin already made, and others are intended from time to time to be made, vpon ſuch compoſitions to bee had with the Lord Treasurer, and Chancel- loꝛs of the Erchequer and Duchie foꝛ the time being, foꝛ and on his *Maieſties* be- halfe as aforeſaid. Wherefoꝛe be it enacted *ec.* That all the *Deſuages*, Cottages, Milles, Lands, Tenements and Hereditaments contained, oꝛ mentioned in any decree oꝛ decrees to be made in any the ſaid courts of Erchequer Chamber, oꝛ Du- chie, at any time ſince the firſt day of this preſent Seſſion of parliament, oꝛ within 3. yeares from thence next inſuing, vpon compoſitions made with his *Maieſties* ſaid officers, on his Highnes behalfe as aforeſaid, and in and by the ſame decreed, to be from thencefoꝛth good and perfect Copihold lands, ſhall from the time of ſuch decrees oꝛ decrees made, be taken and adiudged to be good and perfect copihold lands, tenements and hereditaments according to the true intent and meaning of the ſaid decrees reſpectiuelly. And that all and euerie perſon and perſons ſhall & may haue, hold, vſe and enioy the ſaid *Deſuages*, Cottages, Milles, Lands, Tenements and Hereditaments, to them, their heires and aſſignes foꝛ euer, by Copie of Court Rol, oꝛ otherwiſe, according to the cuſtomes of the ſaid *Manoꝝ*, ſenerally and reſpe- ctiuelly, according to the purpoꝛt and effect of the ſaid decrees, foꝛ ſuch fines, rents, duties, and by, with, and according to ſuch cuſtomes, priuiledges, liberties, profits, and commodities, and in ſuch maner and foꝛme, as in and by the ſaid decrees ſhall be limited and appointed. 7. Jac. 2. 1.

Causes of ex- ception to co- pihold eſtates

*The eſtate of the *H. copihold* tenants confir- med by decree.*

2 And be it further enacted *ec.* That the ſaid decrees and euerie of them, and e- uerie Clause, Article, and ſentence in euerie of them to be contained ſhal ſtand and be ratified, allowed, approued, and confirmed by the authoritie of this preſent Par- liament: And that the ſame decrees and euerie of them, ſhall ſtand and be of foꝛce to bind and conclude as well the Kings *Maieſtie*, his heires and ſucceſſoꝛs, as al- ſo all other parties to the ſame, their heires and aſſignes, and all claiming by, from oꝛ vnder them, in all things, according to the purpoꝛt, intent and true meaning of the ſame decrees: And that euerie clause, Article, and ſentence in them, oꝛ any of them to be contained, foꝛ euer from and after the making of the ſame decrees, ſhall ſtand

*All decrees concerning the *H. Copihol- ders* confir- med.*

Copihold and Copiholders. Corne and Graine.

stand, bee and remaine, and be adiudged and taken to stand, and bee of such and the same force and effect to all intents and purposes, as if the same decrees, and euerie of them, and euerie clause, article and sentence in them or euerie of them to be contained, were specially and particularly herein expressed, & by the authoritie of this present Parliament enacted. 7. Iac. 21.

3 Saving of the action and righte of others

3 Saving: neuerthelesse to all and euerie person and persons, bodie polittique and corporat, their heires and successours (other than the Kings Highnes, his heires and successours) all such Actions, estates, possessions, rights, titles, interests, rents, and demands, profits, commodities, and aduantages whatsoeuer, as they or any of them haue, shall, may, or ought to haue, of, in, to, or out of all, or any of the premises, in such and the same estate, degree, plight, maner & forme to all intents and purposes, as if this act had neuer bin had ne made. 7. Iac. 21.

Corne and Graine.

No corne &c. shall be transported with- out licence.

NO person shall transport out of this Realme, by any Ship, Crayer, or other Vessel, into any place beyond the Seas, or into Scotland, any Wheate, Rye, Barley, or other Corne or Graine, growing within this Realme, or any Paul made within the same, or any Beere, Butter, Cheese, Herring, or Wood (except only so and so) the victualling and furniture of Warwick, & the marches of the same) without lawfull authoritie so to doe, upon paine that the owner of the said Corne, Butter, Cheese, Herring, and wood, to forfeit the double value of the same so carried to the R. & J. to be recovered by R. & J. &c. wherein no W. & C. & P. & c. And the Master and Partners of euerie of the said ships &c. for euerie such offence to forfeit all their goods, and to be imprisoned one whole yeare without baile or mainprie: and the owner of the said ships, crayers, and other vessels, with all their appurtenances to them belonging, wherein the said corne &c. shall be so transported, 1. & 2. P. & M. 5. But no forfeiture of ship, crayer, or other vessel, or of any appurtenances of the same, nor any other penaltie, shall bee extended against any owner of any ship, crayer, or other vessel, for the transporting of any corne or other things aforesaid, vnlesse the same owner shall be witting, knowing, aiding, or consenting to the prohibited transporting. 5. El. 5. 1. Iac. 25.

No corne &c. shall be carried to any ship to be transported

2 If any person do carrie and consue away by Boat, Crayer, or other Vessel, or otherwise, any Wheate, Rye, Barley, Paul, or other Corne or Graine, or any Beere, Butter, Cheese, Herring, or Wood, to any ship or vessel being on the seas, or within any haven, creeke, or other place of the border of this realme, to be transported beyond the seas, or into Scotland, without sufficient authoritie so to do, then euerie owner of the said victuals, corne, and other things abovesaid so transported, and the owner of euerie such Boat, or vessel, and the boatmen and mariners of the same, shall forfeit and suffer all such pains and penalties as are aboue rehearsed, to the R. and J. &c. to be recovered by R. & J. &c. wherein no W. & C. & P. & c. 1. & 2. P. & M. 5.

He that hath licence to transport, carrieth more.

3 If any person shall obtaine of the Queene, her heires, or successours, any Licence to transport any Corne, Victuall, or wood beyond the seas, if hee or any other to whom he shall give, graunt, or sell his said licence, shall carrie or cause to be caried any more corne, victuall, or wood than shall be contained in his said Licence, hee shall forfeit the treble value of the said corne, victuall, or wood so transported without sufficient authoritie, and shall suffer imprisonment for one whole yeare without baile or mainprie in the common gaole, where he shall be apprehended. 1. & 2. P. & M. 5.

4 No person that shall haue any such licence for transporting any corne, victuall,

or wood beyond the seas, that ship to the same or any part thereof at sundrie places within this realm, but at one place certain, upon paine of forl. of the same, & all his goods & cattels, to the D. & J. &c. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 1. & 2. P. & M. 5.

5 This Act shall not extend to any persons for the necessarie victualling of any ships, or other vessels, neither shall it be prejudiciall to the Lord Admirall of Eng. land, for the time being, or to the Queenes iurisdiction of the Admiraltie, but the said Admirall or his deputies shall use and execute all kind of iurisdiction belonging to the sea, according to his or their Commissions. 1. & 2. Ph. & M. 5. S. Iustice of Peace 27.

6 When the prices of Coznes and Graines exceed not the rates hereafter following, at the times, Hauens, and places, where and when the same Cozne or Graine shall be shipped or laden, viz. The quarter of Wheat at five and twentie shillings eight pence, the quarter of Rie, Pease, and Beanes at fiftene shillings, the quarter of Barley or Mault at foureteene shillings of currant English money: Then it shall bee lawfull for all and euerie person and persons being Subiects of the King, his Heires, or Successors, to transport of his owne, and to buy and transport any of the said Coznes and Graines vnto any parts beyond the Seas in amitie with his Maiestie, to sell any Merchandize in Shippes, Crayers, or other Vessels, whereof any English bozne Subiect or Subiects than shall bee the owner or owners. Any Law &c. notwithstanding. And the King, his Heires and Successors, shall haue and receiue by the Customers and Officers of his Ports, for the Custome or Pondage of euerie quarter of Wheat to be transported by force of this statute, two shillings, of euerie quarter of other Graine sixteene pence, which said seuerall summes so to be had and taken as custome or pondage, to be in full satisfaction of all maner of custome or pondage for the said cozne or graine by any Constitution, order, statute, law, or custome heretofore made, used, or taken for transporting of any such maner of cozne or graine. Provided alwaies, that the King, his heires, and successors, may at all times by his and their writ of Proclamation to be published generally in the whole Realme, or in any of the Counties of the Realme, where any port towns are, command that no person shall by vertue of this act, transport or carie any maner of graine out of his highnes dominions generally, or out of any speciall ports to be in the same proclamation particularly named, for such time as shall be therein limited and appointed. And it shall not be lawfull for any person to carie out any such graine, contrarie to the tenor of the same Proclamation, upon such paines and forfeitures, as by the Lawes and Statutes of this Realme are and haue beene provided and ordained in that behalfe: This Act &c. notwithstanding. 1. Iacob. 25. At all times from and after the Feast of Pentecost, which shall be in the yeare of our Lord God one thousand five hundred and seuen, it shall and may bee lawfull for all and euerie person and persons to transport of his owne, or to buy and transport, or cause to be bought and transported, any Beere with the Tasse, vnto any place or places beyond the Seas, in amitie and league with his Maiestie, his heires, or successors, to sell or Merchandize, or otherwise, in Shippes, Crayers, or other Vessels, when the price of euerie quarter of Mault, at the times, Hauens, and places, when and where the same shall be shipped and laden, exceed not the summe of fiftene shillings currant English money. Any Law or Statute to the contrary notwithstanding. And the King, his heires, and successors, shall haue and receiue by the Customers, Controulers, and Officers of his Ports, where such Beere shall be so shipped, or laden to be transported, the summe of viij. s. viij. d. for Impost, & xdiij. d. for custome to be payed by euerie Subiects of the Kings, his heires, and successors, for euerie Tunne of Beere so to be transported: And likewise the summe of x. s. for Impost, and xviij. d. ob. for custome to be payed by euerie Draun-

He that hath licence to traſſe port Cozn &c. shall lade it at one place. * Victualling of Shippes.

Cozne of certaine prices may be transported.

Beere may be transported.

The Impost & custome for Beere transported.

ger,

Corne and Graine.

ger, which shall bee in full satisfaction of all manner of Customes, Bondage, Impost, or other duties whatsoever for the same Ware, Any Constitution, Order, Law, Statute, or Custome heretofore made, used, or taken for transporting of any such Ware, to the contrarie in any wise notwithstanding. This Act, nor any thing therein contained, shall extend to repeale or make void any Clause, Article, or Provision contained in any former Law, now in force, touching the bringing in of Clappewd, Caske, or Shaffold-wd, but everie such Branch, Article, Clause, or Provision, shall extend as well unto all and everie transportation, or transpozations, made lawfully and warranted by vertue of this Act, as otherwise, Any thing contained in this Act to the contrarie notwithstanding. 3. Jacobi 11. This Act to continue but to the end of the first Session of the next parliament.

Clappewd.
Caske.

Corne may be
transported
when the prices
be allowed
reasonable.

7 It shall be lawful to all persons, being subjects of the Queene, her heires, and successors, and inhabiting within her dominions, (onely out of such ports & cranes, where are or shall bee resident a Customor or Collector of Subsidie of Tonnage, and Bondage, or one of their deputies, and not elsewhere) to load, carrie, or transport any Wheat, Rye, Barley, Mault, Pease, or Beans, into any parts beyond the seas, being in amitie with this realme, and not prohibited by any restraint or Proclamation, only to sell as merchandize in ships, crayers, or other vessels, bearing crosse sailes, whereof any English bozne subjects inhabiting within her Highnesse dominions then shall be the only owners, at all such times as the severall prices thereof shall be so reasonable in the severall counties, where any such transportation shall be intended, as that no prohibition shall be made either by the Queene, her heires, or successors, by Proclamation to be made in the Shire Towne, or in any Port Townes of the Countie, or else by some order of the Lord President and Counsell in the North, or the Lord President and Counsell in Wales, within their severall iurisdicions, or of the Justices of Assises, at their Session in other Shires out of the iurisdiction of the said two presidents and Counsels, or by the more part of the Justices of the Peace of the Countie at their Quarter Sessions in this manner following: That is, the said Lords Presidents & Counsels for the Shires within their iurisdicions, the Justices of Assise at their severall Sessions (in other Shires out of the said iurisdicions, belonging to the said Counsels in the North, and in Wales) yearly shall upon conference had with the Inhabitants of the Countie of cheapnesse and dearth of any of the said kindes of Graine within the Counties, within the iurisdicions of the said Counsels, or in the other countries, within the limits of the said Justices of Assise, by their discretion determine whether it shall be meet at any time to permit any Graine to be carried out of the Realme, by any port within the said severall iurisdicions or limits, & so shall in writing under their hands and seales make a determination, either for permission or prohibition, & the same shall to be by the Sherife of the Counties published and affixed in as many accustomed market townes and ports within the said Shire, as they shall thinke convenient, and in such manner, as the Queenes Proclamations are usually published and affixed, which determination of the said presidents and Counsels in their iurisdicions, and of the Justices of Assise in their limits shall continue in force for the time, place, and manner therein expressed, untill the said Presidents & Counsels shall otherwise order, or untill the Ju. of Assise, at their being in their said circuits, in every of the said counties shall alter, or otherwise order the same, except the same shall be otherwise in the meane time altered or countermanded by the Q. her heires or successors, or by some order of the J. of P. in the counties situated out of the iurisdicions of the said 2. counsels, in their Q. Sessions to be holden in the meane time, or the greater part of them, which shall find the same determination of the Ju. of Assise to be hurtful to the countie by meanes of dearth, or to be a great hinderance to tillage by the means

of too much cheapnesse, and shall by their writings vnder their hands and Seales, make any determination to the contrarie, either for permission or prohibition of carriage of any kind of graine, out of the realme, and the same determination shall cause in like manner to be published & affirmed as above is said: which determination shall also continue in force, except the same shall be altered by the M. her heires or successors, or vntill the J. of Assise at their being in their said circuits in euery of the said counties afoze to them limited, shall alter, or otherwise order the same, who shall and may vpon new conference had, from time to time, alter the said determinations, in the whole, or in the part, as to their discretions shall seeme meet, & the same shall also cause to be published as is before prescribed: But neither any of the said Iustices and Counsels, nor the said J. of Assise, nor the said J. of Peace, shall publish any their determinations above mentioned, vntill the same shall be first by writing notified to the M. or to her priue Councell, and by her Maiestie or her priue Councell shall be liked and allowed. 13. Eliz. 13.

No determination published without the M. or her Counsels assent.

8 The M. her heires and successors may at all times by her writ of Proclamation, on to be published generally in the whole realme, or in the counties of the realme, where any port Townes are, command, that no person shall by vertue of this Act transport any graine to any parts out of her dominions, either generally out of any port in the realme, or particularly out of any special ports to be in the same Proclamation named, & it shall not be lawfull for any person to carie out any such graine contrary to the tenor of the same Proclamation, vpon such pains as by the laws of the realme are and haue bin provided. 13. El. 13.

The M. may restrain transporting of corn by proclamation.

9 Whosoever shall bring into any port or place of this realme, any wheate, rie, or barley, which is not growing within the R. dominions, at any time when the quarter of wheate doth not exceed the price of 6s. 8. d. the quarter of rie 4s. the quarter of barley 4s. within the port or place where such graine shall be brought, shall forfeit the said graine to the R. and him that will seise the same. But this Act extends not to any wheate, rie, or barley, taken by any of the R. liege people vpon the sea, without fraud or couin. 3. Ed. 4. 2.

Restraint of bringing corn into this Realme.

10 If any person hauing sufficient corne for the provision of his house, & sowing of his ground for one yeare, doth buy any corne in any Faire or Market, for the change of his seed, & doth not bring to the same Faire or Market, the same day, so much corne as he shall buy for his seed, & sell it (if he can) as the price of corne then goeth in the said Faire or Market, When euery such person so buying corn for seed shall forfeit the double value of the corne so bought, to the R. and J. to be recovered by A. J. &c. wherein no W. &c. C. D. &c. 5. Ed. 6. 14. 13. El. 25.

He that buyeth corne for change of his seed, must bring in as much to the same market;

1 For the custome of corne transported. S. Custome 4.

Corpus cum causa.

If a Corpus cum causa, or Certiorari, be awarded to remove the bodie of any person which is condemned in any of the R. Courts, and the cause into the Chancery, the prisoner shall be remanded continually to remaine in prison, without being let to baile or mainprise, vntill he hath agreed with the plaintife for the summe adjudged. 2. H. 5. 2.

2 He that sueth to defeat an execution vpon a Stat. Staple, & therupon commeth into the Chancery by Corpus cum causa, & there hath a Scire facias against the party, vpon that defeasance, or such like, he shall find suretie as well to the R. as to the partie severally, to peeld his body, or pay the money, if the matters compised in the Scire facias be not found or adiudged for him. 11. H. 6. 10.

F f

Corpo-

Corporations, Maiors, and head Officers, &c.

Corporations, Maiors and head Officers of the same.

No new ordi-
nances with-
out consent of
the Chancelor
or Justices.

No Masters, Wardens, and Fellowships of crafts or Mysteries, nor any of them, shall take upon them to make any Acts or Ordinances, ne to execute any by them heretofore made, in diminishing or diminution of the prerogative of the King, nor of other, nor against the common profit of the people, but if the same Acts or Ordinances be examined and approued by the Chancelor, Treasurer of England, or chiefe Justices of either Benches, or three of them, or before both the Justices of Assise in their circuits or progresse, in the Shire where such Acts or Ordinances be made, upon pain of forf. of xl. l. for every time that they do the contrarie. 19. H. 7. 7.

No ordinance
to restraine
suit in the R.
Court.

2 None of the same bodies corporat shall make any Acts or Ordinances to restraine any person to sue to the R. or to any of his Courts, for due remedie to be had in their causes, ne put ne execute any penaltie or punishment upon any of them, for any such suit made, upon paine of forf. of xl. l. for every time that they do the contrarie. 19. H. 7. 7.

None shal be
restrained to
keepe shop.

3 No Masters, Wardens, or Fellowships of Crafts, nor any of them, shall compel, or cause any pprentice or iourneyman, by oath, or band, or otherwise, that he after his appprenticeship, or terme expired, shall not set up, nor keep any shop, house, or sellar, nor occupy as a freeman, without licence of the Master, Wardens, or Fellowship of his occupation, for & concerning the same, upon paine to forf. for everie time that they or any of them shall offend contrarie to this act, xl. l. to the R. and J. &c. to be recovered by A. J. &c. wherein no C. P. &c. 28. H. 8. 5.

The fees for
entrie of ap-
prentices and
freemen.

4 No Master, Wardens, or Fellowships of Crafts, nor any of them, shall take of any appprentice, or other person, for the entrie of any pprentice into their said Fellowship, above the summe of y. s. vi. d. nor for his entrie when his yerres and terme is expired, above iij. s. iij. d. upon pain to forf. for everie time that they or any of the shall offend contrarie to this act, xl. l. to the R. and J. &c. to be recovered by A. J. &c. wherein no P. C. &c. 22. H. 8. 4. 28. H. 8. 5.

In Corpora-
tions none shal
have a nega-
tive voice.

5 All and everie particular act, order, rule, & estatute, heretofore made, or hereafter to be made by any Founder or Founders of any Hospitall, Colledge, Deanrie, or other Corporation, at or upon the foundation of the same, whereby the grant, lease, gift, or election of the gouernor or ruler of such Hospitall, Colledge, Deanry, or other corporation, with the assent of the moze part of such of the same hospital, &c. as haue or shall haue voice of assent of the same, at the time of such grant, lease, gift or election to be made, should be in any wise hindzed or let by any one or moze, being the lesser number of such corporation, contrarie to the course of the common law of this Realm, shal be cleerely void. And all oaths heretofore taken (viz. before the said stat. made 16. die Januarij, An Dom 1541.) by any person of such Hospitall, colledge, Deanry, & other Corporation, shal be for and concerning the obseruance of any such order, estatute, or rule, deemed void. And no person of any such Hospitall, Colledge, Deanry, or other corporation, shal be in any wise compelled to take any oath for the obseruing of any such order, estatute, or rule, upon the pain of everie person giving such oath, to forf. for every time so offending, b. l. to the R. and J. &c. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. or other dilatorie plea shal be allowed. 33. H. 8. 27.

Officers shall
set up tables
of all duties.

6 All and singular officers for everie Citie, Borough, or Towne, where any custom, toll, duties, or summes of money shall be demanded of any alien bozn made denizen, shall set up, or cause to be set up in open place and places of every such city, borough, or town, a table or tables, by which the certaintie and verie due tie of every such Customer, &c. of wares to be demanded, may plainly appeare, to & intent that

that nothing be exacted otherwile than in old time hath been used, upon paine, that enerie citie not doing the same, shall lose v. l. and enerie towne coꝛporate x. s. foꝛ enerie moneth the same table shall faile to be set vp, to the R. and A. to bee recouered by A. &c. wherein no W. C. P. &c. Provided, that the table set vp in London, touching Scavage within the same, shalbe first viewed, examined, and appoyued by the Chancelor and Treasurer of England, the President of the R. Councell, the A. priue seale, the A. Steward of the R. household, and the two chiefe Iustices &c. foꝛ the time being, oꝛ by foure of them at the least, & by them subscribed. 22. H. 8. 8. S. Aliens 2.

The tables in London touching Scavage.

7 If any conspiracie, couenant, oꝛ promise, be made by any Societie, Brotherhoo, oꝛ Companie of any craft oꝛ mysterie of the Butchers, Brelwers, Bakers, Pulters, Cookes, Coffer mongers, oꝛ Fruiterers, that they shall not sell their victuals but at certain pꝛices, with the presence oꝛ consent of the moꝛe part of them: then immediately upon such conspiracie &c. beside the particular punishment appointed to the offendors, their Coꝛpozation shalbe dissolved to all intents. 2. Ed. 6. 15. S. Artificers 2.

Compacts made by Artificers.

8 Maiors, Sherifes, and Bailifes of cities and boꝛoughs, haue power to inquire within the same, of all false makers of Arrow heads, & Quarels, & to punish them according to the Stat. in that case provided. 7. H. 8. 7. S. Arrow heads 1.

Arrow heads

9 Maiors and Bailifes at their courts haue authoritie to inquire, heare, and determine all and singular offences committed by Victuallers, Artificers, Woꝛkemen, and Labourers, against the Statute foꝛ them provided. 2. E. 6. and to punish the offendors according to the tenor of the same Statute. 2. Ed. 6. 15. S. Artificers 1.

Artificers.

10 In enerie citie, boꝛough, and towne, where there be Maiors, Sherifs, oꝛ head Officers, they haue authoritie to name and sesse the pꝛices of enerie barrell, kilderkin, and firkin, of ale & beere: And the ale and beere Brelwers shall not sell their ale and beere at higher pꝛices than shalbe assessed vnto them. 23. H. 8. 4. S. Brewers 2.

The pꝛices of Ale & Beere.

11 Maiors, Bailifs, & other head Officers of the poꝛt oꝛ place where any souldier shal arrive (which hauing mustered and receined the R. wages, doth depart from his Captaine within his terme without licence) haue authoritie to arrest and keepe the same souldier, vntill further inquirie (according to the order of the law) be made of his offence. 18. H. 6. 19. S. Capitaines 3.

Souldiers.

12 The pꝛices of all barrells, kilderkins, firkins, & other vessels to be sold foꝛ ale, and beere, oꝛ sope, to be vttered therein, shalbe taxed by maiors, bailifs, and other head officers of euery city and towne coꝛporate, where any such vessel shal be made and offered to be sold. 8. El. 9. S. Coopers 1.

Barrells and Kilderkins.

13 The maiors, sherifs, bailifs, constables, & other head officers in such cities, boꝛoughs, & towns, wherein no Wardens of Copers be, haue authoritie to search, view, and gauge, all barrells, kilderkins, firkins, & other vessels, that they be made and marked sufficiently, & containe the true and lawfull rates and measures, and to mark enerie vessel bearing the true content. And to take foꝛ searching and gauging of enerie such vessel, q. And they may retaine the vessel vntill they be satisfied thereof. And if they find any vessel defective, not bearing the true contents, they may retaine the same, and cause it to be marked and amended, oꝛ else to be burned. And the same authoritie haue Wardens of the Copers within London, taking with them an Officer of the Maiors, to search & marke all vessels within London, the suburbs and two miles compasse of the suburbs. 23. H. 8. 4. S. Coopers 2. 5.

Marking of vessels.

14 All maiors, bailifs, and gouernors of cities, boꝛoughs, & market towns, and all other places of this realme, where there be Maiors, Bailifs, oꝛ Gouernors, haue authoritie to name and chuse discreet and expert person oꝛ persons, daily to search and gauge all vessels of Salmon, Herring, & Celes, that they be faithfully packed,

Vessels of Salmon, Herring, and Celes.

Corporations, Maiors, and head Officers, &c.

and keepe their measure and assise. 22.E.4.2. 11.H.7.23. S.Fish 8.9.10.11.

**For making
of mault.**

15 The Just. of peace within any countie of this realm, shall not intromit or enter into any citie, bozough, or towne corporat, for execution of any article in the act (made to restrain the excessive making of mault) except hee be a Justice of P. also in the said citie, bozough, or town corporat. But it shal be lawfull to the Just. of P. maiors, bailiffs, & other head officers of those cities, bozoughs, & townes corporat, where they keepe Sessions, to proceed to the execution of the said act, and everie article thereof, within the precincts of their liberties, at such time and times, and so often as to them shall seeme meet, in as large and ample maner as the Ju. of P. in any county may do. 39.El. 16.S. Mault 6.&c.

**Cappers,
Hatters.**

16 It is lawfull for the Master & Wardens of the Companie of Haberdashers within London, calling to them one of the Companie of Cappers, & another of the makers of Hats, as often as need shall require, within the said citie, or thre miles compasse of the same, to search all Cappers and makers of Hats, and the offenders and defaults by them found, to correct and punish by fines and otherwise, as in like cases they do other offenders, and defaults within the said Companie. And it is lawfull to all maiors, bailiffs, and other head officers, in all other cities & townes corporat, to do the like. 8.El. 11.S. Hats 3.

**Labourers.
Servants:**

17 For the authoritie and dutie of everie Maior, Bailife, or other head officer of any Citie, Bozough, or Towne corporat, concerning the wages, order, direction, and reformation of labourers, artificers, servants, & apprentices, within the limits of their iurisdiction, by force of the Stat. therfore provided. 5.El. 4. S. Labourers &c. and Just. of P. 66.67.58. And all amercciements, fines, issues, & forfeitures, which shall grow by reason of any offences mentioned in the said Statute or any branch thereof, within any citie, or towne corporat, shal be lenied and received by such persons of the same citie or town, as shall be appointed by the maior or other head officer thereof, to the use or maintenance of the same citie or towne, in such case as other amercciements, issues, &c. have bin used to be lenied and employed within the same, by reason of any grant or charter from the Qu. or of any her progenitors, granted to the same city or towne. 5.El. 4.

Tanners.

18 The maior of London within the said city, and within thre miles compasse thereof, and all other maiors, bailiffs, & other head officers of cities, bozoughs, and townes within their severall iurisdicions, shal enquire, heare, & determine all offences committed contrary to the Stat. provided 1. Jac. touching Tanners, Curriers, Shomakers, & other artificers occupying the cutting of Leather. And also shall by their discretions, examine all persons suspected to offend the said act, or any parcell thereof, & the third part of all penalties of sums of mony forfeited by the said act, in any city, bozough, or town, shal go to the said city, bozough, or towne, where the offence shalbe committed. 1.Jac. 22. S. Leather 45.

**Linerics.
Retainers.**

19 The Maior, Sherife, Bailife, or other chiefe officer of everie city, bozough, town, and port within this Realm, having power to heare and determine personall ples in the court holden befoze them, or any of them, within any such city, town, &c. have authoritie to receive information of any persons, which shal give any lineric or badge, or retaine any other than his meniall servant, officer, or learned man in the one law or other, by writing, oath, or promise, & of any person which shalbe so retained, & to heare and determine a twel by examination, as by trial, all things done concerning the same, by or to the inhabitants within the iurisdiction of the same court. And to put the Stat. for those offences provided in execution. And the Ju. shal have the one moitie of all penalties forfeited by the said Stat. And the Informer and chiefe officer of such citie, bozough, &c. shall have the other, equally to be divided betwixt them. And the said chiefe officers part shalbe employed to the use of the said city, bozough, &c. 8.Ed. 4.2. S. Lineries 5.

20 All and singular Maiors, Bailifes, and Iustices of peace within any city, borough, or town corporate, in any parts within this realm, within the limits of their commission, haue authoritie to inquire of all offenders against Preachers, & other Ministers of the Church, & to heare and determine the same, & to set fines and amerciaments of the said offenders, as in the Stat. thereto provided, is limited. 1. & 3. S. Preachers 1. 2.

21 All Maiors, Bailifes, Sherifes, and other head Officers, shall cause the Stat. Unlawfull games. penly proclaimed once euerie quarter of a yeare in euerie market, holden within their seuerall iurisdiccions. 3. 3. H. 8. 9. S. Playes &c. 6.

22 Maiors, Sherifes, Bailifes, and other head Officers in Cities and Townes corporate, in their Courts within the limits of their authorities, haue power to enquire, heare, and determine all and singular offences done in the land, or within any Haven or Deere, contrarie to the Stat. made 5. El. (touching certaine politicke constitutions for the maintenance of the Paue) and if any person shalbe presented before them, within the limits of their authoritie, or any information giuen to them of any offender of the said Act: then they haue authoritie thereupon to make proces against the offender, as is commonly vsed vpon Indictments of trespass. And if any be presented, and after ward convicted by confession or otherwise, then he shal suffer no lesse forfeiture or punishment, than in the said Act is limited: for the leaping of which forfeiture, the said Maiors, and other head officers within the limits of their authorities, haue power to make such proces, as they shall thinke good by their discretions. But the information at the parties suit shall be within one halfe yeare, and the information or presentment at the D. suit, shalbe within one yeare after the offence committed, or else the same shal not be of effect to put the party to answer or losse. 5. El. 1. S. Fish daies. Ships 1. 2. 3. 4. 5.

23 Maiors, Sherifes, & Bailifes of Cities, haue authoritie to enquire, heare, and determine of all and singular offences committed contrarie to the Stat. provided 37. H. 8. against Usurie. 1. 3. El. 8. S. Vsurie.

24 All Maiors, Sherifes, Bailifs, & other head officers of Cities, Boroughs, & towns corporate, within the limits of their Commissions, as well within franchise as without, haue authoritie to examine, heare, enquire, and determine the defaults of such as shal attempt to sell any wines in grosse, or by retails, contrary to the Stat. provided. 28. H. 8. and to punish the offenders by imprisonment, or otherwise by their discretions. 28. H. 8. 14. S. Wines 1. 2.

25 Maiors, Sherifes, Bailifes, or chiefe gouernors of such Cities, or Towns, where any Carrack, Galley, or Ship, shal come to safe Port, of any Merchant Strangers, their factors, attorneies, or seruants, shal search, or suruey, the bowstaues, brought, sent, or conueyed into this Realme, by the said Merchants, &c. And shall assigne two expert men to search the said staues, which two men shall be sworn by the said Maior, &c. that they shall truly and indifferently marke the staues that bee not good and sufficient, that all people may haue knowledge of them. 12. E. 4. 2. 13. El. 4. S. Bowes 1.

26 Maiors & Bailifs of cities, and boroughs within the same cities & boroughs haue power to make execution of the Stat. of Portsmouth, provided 2. E. 3. against those which shal go or ride armed. 2. E. 3. 4. 20. R. 2. 1. S. Armor 1.

27 No great man, or any other by strength, or threats, shall disturbe or hinder free election to be made. West. 1. 3. E. 1. 5. But when any dignitie is void, they which haue the election, shall freely without threats of any secular power, intreatie, or oppression, proceed to their election. Artic. Cleri. 9. E. 2. 14.

1. What Maiors and other head officers shall or may do for the poore. S. Poore people &c. And what for the punishment of Vagabonds. S. Vagabonds &c.

Corporations, Maiors, and head Officers, &c.

- Vnlawfull games.** 2 For the authoritie of Maiors and other head Officers, concerning the restraining of vnlawfull games. S. Playes &c. 5. 6.
- Private offences.** 3 Where any Corporation or companie, or the head Officers of the same, shall make forfeit, or be punished for any particular persons offence. S. Leather 2 2. 9. Draperie 33. 43. 44. 110. Gold. 12. Coopers 7.
- Mortmaine.** 4 It is Mortmaine for the chiefe Officer of a corporate Towne, to purchase any land to the vse of the Corporation. S. Mortmaine 4.
- Searchers of Leather.** 5 Maiors and other head Officers shall appoint expert men to search and seale Leather. S. Leather 22. 25. 26.
- Cloth searched.** 6 Maiors and head Officers of corporate Townes, shall appoint certaine to search and seale cloth. S. Draperie 31. 32.
- Faultie cloth.** 7 How the chiefe Officer of any citie or Towne shall vse faultie cloth presented vnto him. S. Draperie 29.
- Gunnes.** 8 How a head Officer shall vse those which shoote in Gunnes. S. Gunnes 11.
- Physitians.** 9 By what names the Physitians in London be incorporat, what priuiledges they haue, and what they may doe, and that all Maiors and other Officers shall assist them. S. Physitians 1. 4. 5. 7. 10.
- Fustians.** 10 The Maior & Wardens of the Shearemen of London may search the workmanship of fustians and clothes. S. Fustians 1.
- Goldsmithes.** 11 What the Wardens of Goldsmithes shall forfeit, if any worke by them touched and allowed for good, be after found deceitfull. S. Gold 12.
- Dye.** 12 The chiefe Officer of any citie and towne, may search all Oyles brought into the same to be sold. S. Oyle 1. 2.
- Couerlets.** 13 The Wardens and Searchers of Couerlets within Yorke may search in all Faieres, from Trent Northward, for all couerlets made within the countie of Yorke. S. Couerlets 3.
- Hats.** 14 The Maior, Recorder, &c. of Norwich, shall admit those which shall make Hats, Couerlets, and Dornecks, within the countie of Norfolk &c. S. Couerlets 5. Hats. 1.
- Pewter, Brasse.** 15 The head Officers of corporate Townes may appoint expert men to search vnto sell of Pewter and Brasse. S. Pewterers 5. 6. 7.
- In Officer no Customer.** 16 A common Officer in a corporat Towne, shalbe no Customer. S. Custome 22.
- Caters.** 17 In what cases the head Officers of cities and townes shall arrest the Caters of Noblemen, and others. S. Purueyors 1.
- Uniformitie of Common prayer.** 18 Head Officers of cities &c. may inquire of the offences prohibited by the statute made for the vniformitie of common prayer. S. Sacraments 7.
- Riots, Routs, &c.** 19 How Riots, Routs, and Assemblies made in cities and corporat townes, shalbe inquired of, and redressed. S. Riots 13.
- Vnlawfull assemblies.** 20 The duties of head Officers of Townes Corporat, concerning the executing of the Statutes provided against vnlawfull Assemblies. S. Riots 16. 17. 20. 21. 24. 25. 26.
- Viſtuallers.** 21 Maiors, Bailifes, &c. of cities and boroughes, may order, reforme, and punish Viſtuallers. S. Viſtuallers 1. 4. 7.
- Viſtuall.** 22 How the prices of viſtuall shalbe assessed when any Viſtualler is chosen to beare office in any corporat Towne. S. Viſtuallers 9.
- Weights.** 23 The authoritie of the head Officers of corporat Townes, in keeping, marking, viewing, and examining of weights and measures. S. Weights 7. 8. 10. 11.
- Measures.** 24 The head Officers of corporat Townes shall haue the moitie of the forfeitures of those which sell wine in grosse, contrary to the prices assessed &c. S. Wines 2.
- Wines.** 25 Head Officers of Corporat Townes may enter into a Marchants house which denieth to sell Wine at the price assessed, &c. and sell and deliuer the same. S. Wines 4.

- 26 None shall sell wines in Townes corporat, but by the assignment of the head Officers thereof. *S. Wines 9. Wines.*
- 27 Head Officers of corporat Townes haue authoritie to assay Wines, and poure out the corrupt. *S. Wines 15. Wines.*
- 28 Where and before whom inhabitants in corporat Townes shall be charged to appeare at Musters. *S. Captaines 15. Musters.*
- 29 There shalbe no vnion of any Church in a corporat Town, without the assent of the maior and comminalltie &c. *S. Ecclesiast. 32. Union.*
- 30 No head Officer of a corporat Towne shall take Scauage, or Shewage of a Merchant for merchandizes customed &c. *S. Merchants 2. Scauage.*
- 31 For the durie of head Officers of corporat Townes, about the electing and returning of Burgeses of the Parliament. *S. Parliament 5.6. Parliament.*
- 32 For the force of recoueries, deeds inrolled, or releases in certain corporat towns. *S. Women 5. Recoueries.*
- 33 Ordinances of corporations made for the restraint of any person to take, buy, fish, or sell Fish, shalbe void. *S. Fish 22. Fish.*
- 34 Corporat towns in Wales may hold pleas, and determine actions, as in England. *S. Wales 55. Wales.*
- 35 Officers of corporat townes may execute the stat. provided for the reliefe of Souldiers and Mariners. *S. Captaines 25. Souldiers & Mariners.*

Coroners.

ALl Cozoners of Shires shall be chosen in the full Counties, by the Commons of the same Counties, of the most meet & woorthie people, which may be found in the same Counties to erecute the said Offices, and of the most sage and wise knights, which do best know, can, and will attend vnto the same office, and which wil lawfully attach and present the pleas of the Cozone. *3. Ed. 1. 13. Alwaies sauing to the la. and other Lords which ought to appoint such Cozoners their franchises. 28. Ed. 3. 6. But no Cozoner shalbe chosen, if he haue not sufficient land in fee in the same countie, wherof he may answere all people. 14. Ed. 3. 8.*

2 If any Cozoners be aduertised by the Kings Bailifes, or other honest men of the countie, to come to those that be slaine, suddenly dead or wounded, or to house, breakers, or to any place where treasure is found, they shall immediatly come, and forthwith to commaund foure, five, or six of the next Towns, that they appeare before them in such a place, and when they come, the Cozoners vpon their oath shall enquire if they did know of the man that was killed, where he was first slain, whether in the field, or in the house, bed, tauerne, or in any companie, & who were there. *3. Ed. 1. Of what things Cozoners, & by whom, and where they shalbe chosen. Murder.*

3 Likewise they shall inquire who were culpable, either of the act or forse, and who were present, either men or women, and of what age they be, so they can speake and haue discretion: and they which be found guiltie by Inquisition in the foresaid manner, shall be taken, deliuered to the Sherife, and committed to the gaole, and as many of them as be not found guiltie, shalbe attached, vntil the coming of the Ju. and their names inrolled. *3. Ed. 1. Inquirie of the offenders.*

4 If any man be suddenly slaine, and found in the fields or woods, it is to bee considered whether hee were slaine there or not, if hee were brought thither, their steps that brought him (if it may be) shall be followed, and so shal the tracke of horse and cart: And also it shall be enquired, if hee that were slaine were knowne, or knowne, and where he lodged the night before. And if any be found guiltie of the death of such, immediatly the Cozoners shall come to his house, and inquire what cattell he hath, and what cozne in his grange, and what on the ground, and if he bee a free

Coroners.

- a free man, what free land he hath, and what it is worth by the pere, beside the Lord of the fees service: but the land shall remaine in the *h*. hands, until the Lord of the fee hath made a fine for it. And when they haue inquired of all things, then they shall cause them to be pised, as if they should straightway be sold, and then the bodie of him that is dead shall be buried. 3.E.1.
- Suddenly slaine.** 5 Pozeoner, the Coroners shall inquire of them which bee dzozoned, suddenly slaine, or strangled, by the signe of some hurt found vpon their bodies, or some other manifest token, and shall attach the finders, and all other in their companie. 3. Ed. 1.
- Treasure troue.** 6 A Cozoner ought to inquire of treasure that is found, who were the finders, and who are suspected thereof, which may be gathered by some mans delicat living and frequenting of *T*auerns, which (vpon suspition) shall be attached by foure, or six, or moe pledges. 3. Ed. 1.
- Rape.** 7 If any be appealed of Rape, he shall be attached by foure or six pledges, if the Appeale be fresh, and the signe of truth apparant, or an open outcrie leuied: But if it be without any manifest token or outcrie, two pledges shall suffice. 3. Ed. 1.
- Maimem or wounding.** 8 Upon Appeale of Maimem, if the wounds be mortall, they which bee appealed shall forthwith be apprehended, and kept until it bee knowne whether hee that is hurt shall recouer or not: if he die, they shall be retained: if he liue, they shall be attached by foure or six pledges, according to the bignesse of the wound: if it be for a maimem, then there shall be no lesse than foure pledges: if a small wound, two will serue. 3. Ed. 1.
- The length, breadth, and deepnesse of wounds.** 9 The length, breadth, and deepenesse of all wounds ought to be viewed, & with what weapons, and in what part of the bodie the partie was hurt, and also how many wounds there be, how many be culpable, and who gaue the wound, all which things shall be inrolled in the Coroners roll. 3. Ed. 1.
- Deodands.** 10 Horses, Boats, Carts, commonly called Deodands, whereby any person shall perish, shall be valued and deliuered to the whole Township, which shall be answerable therefore. 3. Ed. 1.
- Wrecke of sea.** 11 Whosoever layeth hands vpon the wrecke of the sea, shall be attached by sufficient pledges, the price of the wrecke shall be valued and deliuered to the towne to answer &c. Officium Coronatoris, 3. Ed. 1. S. Wreke.
- Coroners shall inquire and certifie at the Gaole deliuerie.** 12 If any Coroner bee remisse in viewing of a dead bodie murdered or slaine, and doe inquire of them that haue done the murder or death, of their abettors, or consentors, who were present thereat, and their names, or so found, doe not inroll, certifie, and deliuer his Inquisition to the Iustices of the next Gaole deliuerie in the Shire where the Inquisition is taken, that the same Iustices may proceed against such murderers, if they bee in the Gaole, or else certifie the Inquisition into the Kings Bench, the said Cozoner shall forfeit to the King for euerie offence, five pounds. 3. H. 7. 1.
- Enquire of escape of the murderer.** 13 The Cozoner vpon the view of the dead bodie, may enquire of the escape of the murderer, for if he do the murder in the day, and escape, the towne shall be amerced. 3. H. 7. 1.
- Recognizinge: evidence, and binding parties to giue it at the Gaole deliuerie.** 14 Euerie Cozoner vpon any Inquisition before him found, whereby any person shall be indicted for murder or manslaughter, or as accessarie to the same before the murder or manslaughter committed, shall put in writing the effect of the evidence giuen to the Iurie before him, being material. And he hath authoritie to bind all such by Recognisance or Obligation, as do declare any thing materiall to proue the said murder or manslaughter, to be accessarie to the same, to appeare at the next generall Gaole deliuerie to be holden within the Countie, Citie, or town copozat, where the triall thereof shall be, then and there to giue evidence against the partie so indicted at the time of his triall, and shall certifie aswell the same evidence as

ence, as such bonds in writing which he shall take, together with the Inquisition or Indictment before him taken and found, at or before the time of his said trial to be made. And if any Coroner shall offend in any thing to the contrarie, then the Justices of Gaole deliuerie of the Shire, citie, towne, or place where such offence shall be committed, upon due proofe thereof by examination before them, shall for every such offence set such fine on such coroner, as they shall thinke meet. 1. & 2. P. & M. 13. Stat. of peace.

15 A coroner which upon request to him made, to come and inquire upon the view of any person slaine, drowned, or otherwise dead by misadventure, doth not his office diligently upon the view of such body, without any thing therfore taking, shall forfeit xl. s. 3. Ed. 1. 10. 1. H. 8. 7. Stat. of peace 86. But a coroner shall have for his fee upon every Inquisition taken upon the view of a body slaine xij. d. of the goods & cattels of the murderer, if he haue any: and if he haue no goods, the coroner shall haue his fee of such amercement as any Township shall be amerced for escape of such murderer. 3. H. 7. 1.

16 The Sheriffe shall haue counter Rols with the coroner, as well of Appeals of Enquests as of Attachments, and other things which doe belong to this Office. Westminster. 1. 3. Ed. 1. 10. But no Sheriffe, constable, escheator, coroner, or any other bailife of the Kings, shall hold pleas of the crowne. Magna charta 9. Hen. 3. 17.

17 Upon the Inquisition to be made by the coroner of the death of a man, every one of the age of xx. yerres ought to appeare, except they haue a reasonable excuse of their absence. Mar. 5. 2. H. 3. 24.

18 If the death of a man (where the Coroners office is to make view and Enquest) doth chaunce in any Countie where the Kings house is, and within the Werge, the Coroner of the same Countie shall be commaunded with the Coroner of the Kings house, to execute his Office, and to inroll it. And that thing that cannot be determined before the Steward, shall bee remitted to the Common Law, so that Crigents, Outlawries, and Presentments, shall bee thereupon made to the Justices in their circuits, by the Coroner of the Countie, as well as of other felonies done out of the Werge, 28. Ed. 1. 3. But all Inquisitions upon the view of persons slaine within any of the Kings Palaces, or houses, or any other house, at such time as he shall be abiding in his royall person, shall be taken by the Coroner of the household of the King, or his heires, without adioyning of any other Coroner of any Shire, by the oathes of twelve or more of the Peomen Officers of the Kings household, returned by the two Clerkes Comptrollers, the Clerks of the Cheke, Clerkes Marshall, or one of them for the time being, of the foresaid household, to whom the said Coroner shall direct his Precept, which Coroner shall be assigned by the Lord Steward for the time being. And the said Coroner shall from time to time for ever without delay, certifie vnder his Seals, and the Seales of such persons as shall be so sworn before him, all such Inquisitions, Indictments, and Offices, upon the view of all dead bodies which shall be slaine within any of the Kings Palaces, or houses, or other house aforesaid, before the said Lord Steward, and in his absence, before the Treasurer, Comptroller, and Steward of the Marshalsey, or before two of them, whereof the said Steward of the Marshalsey to be one, and such Inquisitions and Offices so certified, shall be taken as good to all intents, as any Inquisitions taken upon the view of the body of any person being dead, by the Coroner of any Countie of this realm hath bin, or shall be adiudged. 33. H. 8. 12. Stat. Fighting 1.

19 Two head Coroners for the bodie the Shire of Cheshire shall bee elected by vertue of the Kings writ de Coronatore eligendo, to bee awarded out of the Erchequer of Cheshire, which Coroners shall be bound to sit with the Sheriffe at the

No fee where any person is slaine by misadventure.

The Coroners fee where any person is murdered.

The Sheriffe shall haue counter rols with the Coroner.

Who ought to appeare upon an Inquisition of a mans death.

Enquiry with in the Werge.

Enquiry with in the Kings house.

Coroners of Cheshire.

Cofinage. Cottages, Inmates.

the Shire Courts, to give iudgement vpon Outlawries, and to do all other things that appertaineth. 33.H.8.3.

1 What every coroner which shall be absent from the asselling of the wages of the Knights of the shire, shall forfeit, S. Parliament 12.

2 What coroners shall forfeit if they do conceale, or will not arrest felons when they may. S. Felonie 1.

3 Where the coroners shall impanell a Iurie, of what sufficiency the Iurors shall bee, what issues they shall returne vpon them, and vpon what paine. See Riots 7.

4 That there shall be two coroners in euery of the xij. shires in Wales: how they shall be chosen: Their office and duetie. S. Wales 52.

Cofinage.

In writs of Cofinage, Aiel, and Befaiel, the which bee of the same nature that an Assise of Mortdauncester is, the same answer shall be allowed for the tenant, that the Iustices did allow him at the Common Law in Assise of Mortdauncester, viz. that the plaintife is not next heire of the Auncester, by whose death the land is demanded, and that shall be inquired of by the Assise, and according to the Inquisition Iudgement shall be given. Westm. 2. 13. Ed. 1. 20.

Cottages, Inmates.

No new Cottage without foure acres of land.

No person shall within this Realme of England, make, build, or erect, or cause to be made, builded, or erected, any maner of Cottage for habitation or dwelling, nor conuert or ordaine any building or housing, made, or hereafter to be made, to be used as a Cottage for inhabitation or dwelling, vnlesse the same person doe assigne and lay to the same cottage or building, foure acres of ground at the least, to be accompted according to the Statute or ordinance de Terris mensurandis, being his or her owne freehold and inheritance, lying neere to the said Cottage, to be continually occupied and manured therewith, so long as the same cottage shall be inhabited, vpon paine that euery such offender shall forfeit to the Qu. her heires & successors r. p. for euery such offence. 31. El. 7.

Upholders of new cottages.

2 Euery person which shall willingly uphold, maintain, and continue any such cottage hereafter to be erected, conuerted, or ordained for habitation or dwelling, whereunto foure acres of ground, as is aforesaid, shall not be assigned and laid, to be used and occupied with the same, shall forfeit to the Qu. her heires and successors r. s. for euery month that any such cottage shall be by him or them upholden, maintained, and continued, 31. El. 7.

Inmates.

3 There shall not be any Inmate, or more families or households than one, dwelling or inhabiting in any one cottage, made, or to be made or erected, vpon paine that euery owner or occupier of any such cottage, placing, or willingly suffering any such Inmate, or other familie than one, shall forfeit to the Lord of the Leet within which such cottage shall be, r. s. for euery moneth that any such Inmate, or other familie than one, shall dwell or inhabit in any one cottage as aforesaid. 31. El. 7. S. Iust. of P. 101. Leets 15.

Cottages within corporate Townes.

4 Provided alwaies, that this Stat. or any thing therein contained, shall not be extended to any cottage which shall be ordained or erected, to or for habitation or dwelling, in any Citie, Towne corporate, or auncient Borough, or Market towne within this Realme, nor to any cottages or buildings, which shall be erected, ordained, or conuerted, to & for the necessarie & convenient habitations or dwelling of any

any workmen, or labourers, in any minerall works, cole mines, quarries, or delles of stone, or slate, or in or about the making of Brick, Tile, Lime, or Coales, within this Realme, so as the same Cottage or building bee not above one mile distant from the place of the same minerall, or other works, & shal be used only for the habitation & dwelling of the said workmen: nor shal in any sort prejudice, charge, or impeach any person or persons, for the erecting, maintaining, or continuing of any such cottages, as are before in this Proviso mentioned and specified. 31. El. 7.

5 This Act shall not extend to any Cottage to be made within a mile of the sea, or upon the side of such part of any navigable river where the Admirall ought to have jurisdiction, so long as no person shall therein inhabit but a Sailer or man of manuell occupation, to or for making, furnishing, or victualling of any Ship or vessel used to serve on the Sea, nor to any Cottage to be made in any Forest, Chase, Warren, or Parke, so long as no other person shall therein inhabit, but an Under-keeper or Warrener, for the keeping of the Deere, or other game of Warren, nor to any Cottage heretofore made so long as no other person shall therein inhabit, but a common Heardman, or Shepheard, for keeping the cattell or sheepe of a town, or a poore, lame, sicke, aged, or impotent person, nor to any Cottage to be made, which for any iust respect upon complaint to the Justices of Assise, at the Assises, or to the Ju. of P. or M. Sessions, shal by their order entred in open Assises, or M. Sessions, be decreed to continue for habitation, for & during so long time only, as by such decree shalbe tolerated and limited. 31. El. 7.

Cottages excepted.

Couerlets.

N^o person dwelling within the Countie of Poake, or nigh unto the same, shall make any Couerlets, or Couerings, to put to sale, vnlesse such person be inhabiting within the citie of Poake, or within the suburbes of the same, upon paine of forfeiture of the same, or the value thereof. 34. H. 8. 10.

Sale of Couerlets in Poakehire.

2 No person of the Occupation of the handicrafts men of Couerlet makers, dwelling within the said citie of Poake, or the suburbes of the same, or elsewhere within the said Countie, shall use the craft of hauking abroad in the countrie to Villages and mens houses, or goe as haukers, or put to sale any Couerlets in any other place, out of the said Citie and Liberties thereof, but onely in the open Markets and Faires, upon paine of forfeiture of the same Couerlets, or the value thereof. 34. H. 8. 10.

No Couerlet maker in Poakehire shal go hauking abroad.

3 The Wardens and Searchers of the Occupation of Couerlet makers within Poake, and their Successors, shall haue power to make search in all Faires and Markets, from Trent Northward within this Realme, for all such Couerlets as shall be put to sale not being full wrought, and made of sufficient stuffe, or not containing the Assise accustomed (viz. The best sort ought to containe in length three yards, and in breadth y. yards and a quarter at the least: The second sort should containe in length three yards, and in breadth y. yards: And the lowest or third sort should containe two yards and a halfe in length, and in breadth one yard and three quarters.) And to seise and take the same as forfeited. The one moitie of which forfeitures, if it be in any Citie, Borough, or Town corporat, to bee to the Mayor and Comminaltie, Bailife, Governour, or other Ruler and Comminaltie of euerie said Citie, &c. authorized to haue the same by graunt or prescription, or otherwise lawfully: And the other halfe to such person or persons as shall seise or sue for the same by A. J. in any Court of Record, wherein no M. P. or dilatorie plea shall bee allowed. And if the said sort happen to be found or taken, out of any the said Cities, Townes, or Boroughes, hauing no such authoritie, Then the one moitie of the forfeiture shall be to the king, and the other to such person and persons as will sue

Search for couerlets not wel wrought, or wanting assise. The assise of Couerlets.

Couerlets.

due for the same in any of the Kings Courts in forme aforesaid. And when, and as often as the said Searchers, or Wardens of the occupation of Couerlet-makers of the said Citie of Pozeke, shall make search in any Liberties or Franchises within the said countie, for any of the causes in this Act mentioned. Then and so often they shall require the head Officer of the said Liberties or Franchises, or his deputie, to be aiding and assisting, and also to go with them to make the said search: And if the said Officer, or his Deputie, upon request so made, refuse, or will not so doe, then upon such deniall and refusall, the same Searchers, or Wardens, shall make search themselves: Any thing in this Act &c. notwithstanding. Provided, that the Lords of the said Liberties and Franchises, where any such searches shall be made by authority of this Act, shall haue such fines and forfeitures, as of right they ought to haue by reason of any such searches, in as large maner as they ought to haue had before the making of this Act. 34.H.8.10.

Couerlets for
certaine uses
excepted.

4 But it shall be lawfull to euery person dwelling within the countie of Pozeke, to make Couerlets of what assise or stuffe they will for their owne use, or those of their households, or for their Lords, to whom they be tenants. So that the same shall not be put to sale. 34.H.8.10.

Making of
Couerlets, &c.
within Poze-
wich or Poze.
sc.

5 No person by himselfe, or by his seruant, or appzentic, shall make or worke any Felts, or thymmed Hats, or weane or make any Couerlets or Doznecks, or occupie, use, or exercise the mysteries or Occupations of making of felts, or thymmed hats, or weauing of Doznecks and Couerlets, or any of them, within the Citie of Pozeke, or within the Countie of Pozeke, vnlesse he or they that shall so make or worke any such felts or hats, or so occupie the occupation or myserie of making of felts, or hats, as aforesaid, within the said Citie or Countie, be licenced and admitted so to do, by the Maior, Recorder, Steward, and two Just. of the P. of the said Citie, or by four of them, or that haue bene appzentic to the same occupation and myserie of felts & hats making, by the space of seven yeares: and in like case, vnlesse such person or persons that shall so make or weane Doznecks, or so occupie the occupation or myserie of Doznecks weauing within the said Citie or Countie, be licenced or admitted so to doe, by the Maior, Recorder, Steward, and two Just. of the P. of the said Citie, or by four of them, or that haue bin appzentic to the said myserie and occupation of Doznecks weauing, by the terme of seven yeares: And vnlesse hee or they that shall so make or weane couerlets, or so occupie the art or myserie of couerlets weauing or making, be licenced and admitted so to do by the Maior, Recorder, Steward, and two J. of the P. of the said citie, or by 4. of them, or that haue bin appzentic to the occupation and myserie of couerlets weauing or making, by the space or terme of seven yeres. 5. & 6. Ed. 6. 24.

Hats.
Felts.

Doznecks
weauing.

Couerlets, &c.
shalbe wouen
in a corporate
or market
Towne.

6 No person or persons shall make any felts or hats, or weane or make any Doznecks or Couerlets, as aforesaid, or occupie exercise, or use the occupation, arts, or mysteries of making of hats or felts, or weauing, or making of Doznecks or Couerlets, or any of them, as aforesaid, in any place out of the said Citie of Pozeke, within the said Countie of Poze. but only in a corporate or market Towne, upon paine of forfeiting aswel the felts, hats, doznecks, and couerlets, & enerie of them, which shall be made, wrought, or wouen, contrarie to the tenor of this Act, or of any part or clause thereof, as also x. s. for enerie halfe dozen of the said felts or hats, and of iiij. s. for enerie Couerlet, & of viij. s. for enerie six yards of Doznecke, so as is aforesaid, to be made, wouen, or wrought contrarie to this Act. The one halfe of which forfeitures to be to the King, his heires and successors: And the other halfe thereof to the person or persons that shall or will leise the same, or that will or shall sue for the same, or for any part thereof, in the Kings Courts of Guild hall, within the said Citie of Pozeke, or in any other of the Kings Courts of Record within this Realms of England, by A. of Detinue, Debt, or J. wherein no C. M.

E. III. P. 02 sozeine pla^e to the iurisdiction of the Court shalbe allowed. 5. & 6. Ed. 6. 24.

7 Provided alway, that all and every such person 02 persons, as doe now dwel, 02 hereafter shall dwell and exercise the misterie of Doznieches and Conerlets making, within the Towne 02 Parish of Pulham in the said countie of Dorset. Hall and may occupie and exercise the making of Doznieches, and Conerlets, within the said Towne of Pulham, as they haue heretofore used to doe: Any thing &c. notwithstanding. 5. & 6. Ed. 6. 24.

8 If the Maior, Recorder, Steward, 02 Just. of the Peace of the said citie, for the time being, 02 any of them, shall take any summe of money, 02 reward, for admitting of any person to occupy 02 vse any of the Arts 02 Misteries aforesaid: For every such time, and every such case, the person so offending, shall loose and forfeit five pounds to the R. and J. that will sue for the same, as is aforesaid. 5. & 6. Ed. 6. 24.

Officers taking money for admittance.

Counterfeit letters and tokens.

Whosoever shall falsly and deceitfully, get into his hands 02 possession any money, goods, cattels, iewels, 02 other things of any other persons, by colour and meanes of a priuie token, 02 counterfeit letter, made in any other mans name, and that be p^{ro}oued by confession, 02 examination of witnesse, taken before the R. Chaunceloz, 02 before the R. Councell in the Starre Chamber, the Just. of Assise in their circuits, the Just. of peace in their generall Sessions, the Just. of any citie 02 Towne corpozat, 02 by action in any of the R. courts of record: shall haue such correction by imprisonment of his body, setting vpon the Pillorie, 02 otherwise by any corpozall paine (except death) as shalbe vnto him adiudged, by the persons before whom he shalbe convicted, and besides, the partis grieved shall haue such remedie by action, 02 otherwise, for the same money, goods, &c. as he might haue had if this Act had neuer been made. 33. H. 8. 1. S. Just. of peace 54.

Coopers:

If any Cooper doe sell any Barrells, Bildekins, Firkins, 02 other vessels, for Ale, Beere, 02 Hope, to be vttered therein, aboue such p^{ri}ces which shalbe assessed by the Just. of Peace of the Shire in their Sessions, 02 by the Maior, Bailife, 02 other head officer of the citie, Borough, 02 Towne corpozat, where the said vessels shalbe made 02 suffered to be sold after Proclamation thereof made, he shall forfeit for every vessell sold at a greater p^{ri}ce iij. s. iiij. d. to the R. and J. to be recovered by Action of debt, wherein no W. &c. E. P. &c. 8. Eliz. 9. S. Just. of peace 79. Corporations 12.

Justices and head Officers may set p^{ri}ces of vessels.

2 Every Cooper shall make his vessels for Beers and Ale, of good and seasonable wood, and shall make a Beere barrell to containe xxxvj. gallons, a kilderkin for Beere xviij. a firkin for Beere ix. a barrell for Ale xxxij. a kilderkin for Ale xvj. a firkin for Ale viij. gallons of the R. Standard, 02 else he shall forfeit for every vessell so not made vij. s. to the R. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. And no Cooper shall make any vessell for Beere 02 Ale, to be sold of any greater 02 lesser number of gallons then is aforesaid, vnlesse he shal cause to be marked vpon every such vessell the certaine number of as many gallons as it shal containe, that every person may know the content. And if he marke not his vessell with his owne marke, he shall forfeit iij. s. iiij. d. 23. H. 8. 4.

The contents of Ale and Beere vessels

Marking of vessels.

3 Whosoever doth diminish any Barrell, Bildekin, 02 Firkin, to the deceit of any other, by taking out the head, 02 any staffe from such vessell, shall forfeit iij. s. iiij. d.

Diminishing of vessels.

ing. & be punished at the discretion of the head Officer, before whom the default shall be presented, and the vessel shall be burned. 23. H. 8. 4.

Vessels
brought from
beyond the
Seas gauged

4 No Brewer shall sell, utter, or put to sale any Ware or Ale in any Buttes, Pipes, Buncheon, Hogheads, Tierces, or other such vessels brought from beyond the Seas, within the citie of London or suburbs of the same, or in any other place or places, within two miles compasse without the same suburbs; before the same shall be lawfully gauged, and the true content of every such vessel set downe upon the same, by the gallon appointed and allowed for Ware and Ale, according to the Standard, by the Master and Wardens of the misterie of framen of the Copers of the citie of London. or their Deputie or Deputies: No shall sell, utter, or put to sale any Ware, or Ale, in any such vessel, or vessels, in any other place or places within the Realme of England & Wales, before the same shall be lawfully Gauged and the true content of every such vessel set downe upon the same by the gallon aforesaid, according to the Standard, by such as by the Stat. in that behalf made (An. 23. H. 8. 4.) are to haue the gauging of barrells, kilderkins, & firkins, made for Ware or Ale to be put in, in such other place or places within the Realme of England and Wales, upon paine to for. all and every such vessel & vessels wherein any Ware or Ale shall be uttered, sold, or put to sale, contrary to the true meaning hereof. And also all the Ware or Ale which shall be at the time of such uttering, selling, or putting to sale therein contained, to him or them that will seise the same, and upon paine also to for. for every such vessel wherein Ware or Ale shall be so uttered, sold, or put to sale. & to the M. & J. to be recovered by A. J. wherein no C. P. M. J. &c. 31. Eliz. 8.

See Corpora-
tions. 15.

What shall be
taken for the
gauging of
vessels.

5 Where shall be taken for the gauging of every such vessel within the citie of London & suburbs of the same, and in every place within two miles compasse without the same suburbs, by the Master and Wardens of the misterie of framen of the Copers of the citie of London, for every Butt f. 8. for every Pipe f. 8. for every Buncheon ob. for every Hoghead ob. for every Tierce ob. & for every other vessel which shall at any time be brought into this Realme from any the parts beyond the Seas wherein Ware or Ale shall be uttered, sold, or put to sale, within the citie or suburbs, or any other place or places within y. miles compasse without the same suburbs, after like rates, and no more. And there shall be taken for the gauging of every such vessel or vessels, in every other place within the Realme of England and Wales, by person & persons, as by the said Statute made (An. 23. H. 8. 4.) are appointed for gauging thereof, after such like rates as are herein before appointed to be taken for gauging within the citie of London and suburbs of the same, and in other places within y. miles compasse without the same suburbs. 31. Eliz. 8.

Brewers
English and
Strangers.

Retaining of
the vessels un-
till the gauging
money be paid

The Warden
of Copers
shall come to
the Brewers
house.

6 This Act shall extend to every person which shall use or occupie the misterie of Brewing, as well English bozne, as Strangers. And it shall be lawfull to every person which shall haue authoritie by vertue of this Act to gauge any vessel, or vessels by this Act, meant or intended to be gauged, to retaine every vessel which shall be gauged according to the meaning of this Act, untill the money which shall be due for the gauging thereof, shall be truly satisfied and paid. 31. Eliz. 8.

7 The Master and Wardens of Copers aforesaid, or their sufficient deputie or deputies, within the space of xviij. houres, next after any reasonable request to them, or any of them made, shall come to any Brewer or Brewers house, or other place in the said Citie of London, or suburbs thereof, or two miles distance of the same, whereas their caskes shall be, & there with all reasonable expedition, shall gauge and marke the same caskes and every of them, upon paine for every fault to for. to the partie, by or for whom such request as aforesaid shall be made, the summe of xx. s. to be had and recovered by the said party against the Corporation of Copers aforesaid, by action of debt in any of her Courts of Record at Westminster, or elsewhere, in which action no C. P. or M. &c. shall be admitted or allowed. 13. Eliz. 8.

8 If any Scottish man, or any Stranger, shall bring from Scotland, or from beyond the Seas to the said Brewers, or any of them, any manner of foreign caskes, and shall require to have Ware put in the same, and will transport the same Ware from hence, either into Scotl. or over the Seas there to be drunke, then in every such case it shall and may be lawfull to & for the said Brewers, or any of them, to fill all such caskes with Ware, at such a rate & reckoning as he & his merchant can agree, without having the said caskes, or any of them gauged or marked as is aforesaid, and without incurring any penaltie thereto: this Act &c. notwithstanding. 31. Eliz. 8. 1. Jac. 25. This Act to continue to the end of the first Session of the next Parliament.

1 No Ale or Beere Brewer shall occupie the mistery of Coopers. S. Brewers 1.

Countie, or Shire Court.

No countie Court shall be longer deferred, but from one moneth to another, and the said Court shall be kept every moneth, and none otherwise. Magna Char. 9. H. 3. 35. 2. Ed. 6. 25. And in like sort shall the countie Courts in the rj. Shires in Wales, and in the countie of Monmouth, be kept. 34. H. 8.

2 The Shirife of the countie of Northumberland shall keepe the countie Court of that Shire in the Towne of Castle of Alnewike, and in none other place. 2. Ed. 6. 25. The Shire Court for the Shire of Salter, shall be kept one time at Chichester and another time at Lewes, alternis vicibus for ever. And if any Shire Court be holden to the contrarie, all things therein done shall be void. 19. H. 7. 25. The Shirife of the countie of Chester is bound to keepe his Shire Court in the Shire hall of the said countie. 33. H. 8. 13. And the Shirifes Shire Court in Wales of the countie of Brecknock, shall be holden at Brecknock, Of Radnor, at new Radnor, and Wressell, Of Mountgomerie, at Mountgomerie and Pagheneleth, Of Denbigh at Wirham, Of Monmouth, at Monmouth and Petropost alternis vicibus. An. 27. H. 8. 26.

1 Within what time Shirifes in Wales shall keepe their Countie Courts and Hundreds, and what fees they shall take therein. S. Wales 41.

Courts.

All and every suit and suits, which hereafter shall be had, made, or taken, of, for, or upon any debt, or duties, which heretofore hath growne or ben due, or that hereafter shall grow or be due to the King in the severall offices and Courts of his Erchequer, Duchie of Lancaster, Master of the Wardes and Lineries, or in any of them, or by reason or authoritie of any of them, shall be severally sued in such one of the said Courts, and offices, in the which Courte & office, or by any occasion of the which Court & office, the same debt or dutie did first growe or become due, or hereafter shall growe or become due, or in the which office or Court the Recognisance, obligation, or specialties, is, or shall be or remaine: and every such severall suit and suits, shall be made in every of the said severall offices and Courts under the feuerall Seales of the said severall Courts, by Capias, Extendi facias, Subpena, Attachmēt, and Proclamation of alleageance if neede shall require, or any of them, or otherwise as unto the said severall Courts shall be thought, by their discretions, expedient for the speedy recovery of the R. debts. And the said Court of Erchequer, and all and every of the said Courts, shall have whole and full authoritie, and power, to heare and determine all and every such suit and suits, as shall be taken, commenced and pursued for the intent above specified, and thereupon to award, make and doe execution, by & upon the bodie, lands, and goods, of the partie or parties that so shall be condemned accordingly: And also shall have full power and authoritie to heare and

Wells filled
with Ware
bngauged.

Countie
Courts shall
be kept
monethly.

In what
Courtes the
Shire courts
of severall
Shires shall
be kept.

Wales.

Suits for the
R. debts shall
be in the
courts where
they shall be due

The authori-
tie of the
Courts of
Erchequer
wards, and
Duchie.

Courts.

determine all and all maner of debts, detinues, trespasses, accompts, reckonings, wassses, disceipts, negligences, defaults, contempts, complaints, riots, quarrels, suits, strifes, controuersies, sequestrations, offences, and other things whatsoever they shalbe, which hereafter shall grow, be moued, stirred, procured, or arise, in, for, or vpon any matter, cause, or other thing, assigned, committed, or appointed, or hereafter to be assigned, committed, or appointed to the severall discretions, orders, and governances of the same Courts, or any of them, or, for, or vpon any maner of thing or things, which may or shall touch, or in any wise concerne the same, wherein the King shalbe only party: And also all maner of estates for terme of yerres betwene partie and partie, concerning the Premises, and to correct and punish by their discretions, all and every person and persons, which befoze them shalbe convicted of any of the Premises, according to the nature, qualitie, and quantitie, of his or their offence or offences, cause or causes, matter or matters (all & all maner of Treasons, murders, felonies, estates, rights, titles, and interests, aswell of inheritance, as of freehold, other then Joynitures for terme of life, onely excepted, and alwayes reserved.) 33.H.8.39.

**Amercing of
offendoz.**

2 Every of the said Courts shall have full Power and Authozitie, to set such fines, penalties, and amerciaments vpon Parties, Sherifes, Officers, and other persons, for his and their defaults, contempts, negligences, or misdemeanors, as vnto the said Courts or vnto any of them, shalbe reasonably considered and thought expedient. And all and every triall and trialls of all and all maner of Suits, Bills, plaints, informations, declarations, complaints, answers, replications, allegations, causes, matters, and issues, or any of them, to be pursued, made or tried in the said severall Courts, or any of them, shalbe made and tried by due examination of witnesse, writings, poves, or by such other waies or meanes, as by the said severall Courts, or by any of them, shalbe thought expedient: And all and every such iudgement & iudgements, decrees or decrees, examination or examinations, shalbe good, perfect, and in full strength, force, and effect in the law to all intents and purposes. 33.H.8.39.

Trial.

**Discharging
of Recogni-
sances.**

3 The same severall head officers, for the time being, in every of their said severall Courts, shall have full power & authozitie, to discharge, cancell, & make void, by his or their discretion, all & singular recognisances made in the said Court, for any apparance, or other contempt: and the same head officer or officers, & the parties so bounden and to be bounden, to be discharged against the R. his heires, executoz, and successozs, for the cancellation of the same recognisance. 33.H.8.39.

**The Court of
Starre
Chamber.**

4 The Chancellor and Treasorer of England for the time being (and the Deputy of the R. council, & the keeper of the R. private seal, or two of them 21.H.8.20.) calling to them a bishop, & a temporal Lord of the R. most honorable council, and the two chiefe Just. of the R. Bench and common place, for the time being or other two Ju. in their absence, vpon W. or J. put to the said Chancelor for the R. or any other, against any person, for any misbehaving, by vnlawfull maintenances, giving of Liveries, signes, and tokens, retainders by indentures, oathes, writings, or otherwise imbracerie of the R. subiects, vnto true demeanings of Sherifes in making of panels, and other vnto true returns by taking of money, by injuries, by great riots & vnlawfull assemblies, have authozity to call befoze them by writ, or by private seale the said misdoers, and they, and other by their discretion, by whom the truth may be knowne, to examine, and such as they find therein defectiue to punish them after their demerits, after the forme and effect of Statutes thereof made in like maner and forme as they should and ought to be punished, if they were thereof convicted, after the due order of the Law. 3.H.7.1.

**Common
Pleas.**

5 Common Pleas shall not follow our Court, but be holden in a place certain. Mag. Char. 6.H.3.11. No common Plea shalbe holden in the Exchequer. Artic. super

super Chartas 28. Ed. 1. 4.

8 The writ that is called (Præcipe in capite) shalbe granted to no man of any frehold, whereby any free man may lose his Court. Mag. Char. 9. H. 3. 1. 1.

Precept in capite.

Crowne, King, Queene.

The Law of this Realme is, and ever hath ben, and ought to be understood, that the Kingly or Regall office of this Realme, and all Dignities, Prerogatives, Royall power, Preheminences, Priviledges, Authorities, and Jurisdictions thereunto annexed or belonging, being Inuested, either in Male or Female, are, and be, and ought to be, as fully & intirely accepted, inuested, and taken in the one as in the other, so that what, or whensoever Statute or Law doth appoint, that the King of this Realme may or shall have, execute, and doe any thing as King, or both give any commodity to the King, or both appoint any punishment for the correction of offenders against the Regallie & Dignitie of the King, or of the Crowne, the same the Queen (being supposeme gouverneste, possessor, and inheritor to the Imperial Crowne of this Realme, as our Soueraigne Lady the Queen most nobly presently is) may by the same authority likewise have, exercise, correct, and doe, to all intents, without doubt or question. 1. M. 2. Parl. 1.

The Queen together with regall power as King.

2 No Foraine Prince, Person, Prelate, State, or Potentate, spirituall or temporall, shal be, enjoy, or exercise, any maner of power, iurisdiction, superiouritie, authority, preheminence, or priviledge spirituall or ecclesiasticall, within this Realme, or within any other the Queenes Dominions that now be, or hereafter shalbe, but the same shalbe clerely abolished out of all her Dominions for ever. 1. Eliz. 1.

All foraine power abolished.

3 Such Jurisdictions, priviledges, superiourities, and preheminences, spirituall, as by any spirituall power hath heretofore ben, or may lawfully be used for the visitation of the Ecclesiasticall State and persons, and for reformation, order, and correction of the same, and of all maner of error, heresies, schismes, abuses, offences, contempts, and enormities, shall for ever be united to the Imperial Crowne of this Realme. And the Queen, her heires and successors Kings and Queenes of this Realme, shall have full power by Letters Patents, under the great Seale of England, to name and authorize, when, as often, and for so long time, as her Highnesse, her heires or successors, shall thinke mete, such person or persons (being naturally borne subiects to her Grace, her heires and successors) as she or they shall thinke mete, to occupie and execute under her or them, all maner iurisdiccions, priviledges, and preheminences, in any wise concerning any spirituall iurisdiction, within England and Ireland, or any other the Queenes Dominions, and to visit, reforme, order, correct, and amend, all such errors, heresies, schismes, abuses, offences, contempts, and enormities, which by any Ecclesiasticall power, may lawfully be ordered, corrected, or amended, to the pleasure of God, the increase of vertue, and the conservation of the peace, and unitie of this Realme. And such person or persons so authorized by the Queen or her heires after the said Letters patents to him or them delivered, shal have authority by vertue of this Act, and of the said Letters Patents under the Queenes or her heires or successors, to be and execute all the Premises, according to the tenor and effect of the said Letters Patents or. Provided alwaies, that such person or persons to whom the Queen, her heires or successors, shal by Letters Patents under the great Seale of England, give authority to have or execute any iurisdiction, power, or authority spirituall, or to visit, reforme, order, or correct, any errors, heresies, schismes, abuses, or enormities, by vertue of this Act, shall not in any wise have authority, or power to order, determine, or adiudge any matter or cause to be heresie, but onely such as heretofore have ben determined, ordered, or adiuded to be heresie, by the authority of the Canonick Scripture, or by the foure first generall Councils, or any of

Ecclesiasticall Jurisdictions annexed to the Crowne.

Commissioners in cases of Religion.

What may be adiudged heresie.

Ex. 14

them,

Crown, King, Queene.

What may not
be adiudged
heresie.

them or by any other generall counsell, wherein the same was declared heresie by the expresse and plaine wordes of the said Canonickall Scriptures, or such as hereafter shalbe ordered, adiudged, or determined to be heresie, by the high Court of Parliament of this Realme, with the assent of the Clergie in their Conuocation: Any thing &c. notwithstanding. Provided also that no manner of order, Act, or determination, for any matter of Religion, or cause Ecclesiasticall, had or made by the authority of this Parliament, shalbe accepted, deemed, interpretate, or adiudged, at any time hereafter, to be any error, heresie, schisme, or schismaticall opinion, any order, decre, sentence, constitution, or law, whatsoeuer the same be, to the contrary notwithstanding. 1. Eliz. 1.

4 Every person hereafter particularly named, shall make, take, and receive a Coppozall Oath vpon the Euangelists, according to the tenor & effect following, befoze such persons, at such places, and in such times as be hereafter specified.

The Oath.

I A. B. doe vtterly testifie, and declare in my conscience, that the Queenes Highnesse is the onely supream Governour of this Realme, and of all other her Highnesse Dominions and Countries, as well in all Spirituall, or Ecclesiasticall things or causes, as Tempozall. And that no Foraine Prince, Person, Prelate, State, or Potentate, hath, or ought to haue any Iurisdiction, Power, Superioritie, Preheminance, or authoritie, Ecclesiasticall or Spiritual within this Realme: and therefore I doe vtterly renounce and forsake all Foraine Iurisdicions, Powers, Superiorities, and Authorities, and doe promise that from hencefozth I shall beare faith and true alleageance to the Queenes Highnesse, her heires, and lawfull successors, and to my power shall assist and defend all Iurisdicions, Priviledges, Preheminences, and Authorities, graunted or belonging to the Queenes Highnesse, her heires, and successors, or vntied & annexed to the Imperiall Crowne of this Realme, to helpe me God, and by the contents of this booke. 1. Eliz. 1.

These persons shall take
the Oath.

5 All and enery Archbishop, Bishop, and enery other Ecclesiasticall person, and Ecclesiasticall Officer or Minister, and enery Judge, Justice, Payor, and other Lay or Tempozall Officer, and enery other person hauing the Queenes fee, or wages, within any her Dominions, shall receiue the same Oath befoze such person or persons, as it shall please the Queene &c. vnder the great Seale of England, to assigne to take the same. And enery person that at any time shall be preferred &c. to any Archbishopricke, or Bishopricke, or to any other Ecclesiasticall Benefice, Promotion, Dignitie, Office, or Ministerie, or that shall be by the Queene preferred to any Tempozall or Lay Office, or Ministerie, or Seruice, within any her Dominions, befoze he shall take vpon him to receiue, vse, exercise, supply, or occupie any such Archbishopricke, Bishopricke, Promotion, Dignitie, Office, &c. shall receiue the same Oath befoze such persons as shall haue authoritie to admit any such person to any such Office &c. or else befoze such person &c. as by the Queene &c. vnder the great Seale shalbe assigned to minister the said Oath: And enery person Tempozall, suing Liuerie, or Ouster le maine, out of the hand of the Queene &c. befoze his Liuerie, or Ouster le maine sued fozth and allowed: And enery Tempozall person doing any Homage to the Queene &c. or that shall be receiued into seruice with her &c. shal take the foresaid Coppozall Oath, befoze the Lord Chauncelloz, or Lord keeper &c. or befoze such person &c. as by the Queene &c. shalbe appointed to receiue the same. And enery person taking Orders, and enery other person which shalbe preferred to any degree of Learning, in any Uniuersitie within this Realme, or Dominions, befoze he shall receiue such orders, or be preferred to such degree of Learning, shal take the foresaid Oath befoze his Ordinarie, Commissarie, Chauncelloz, or Vice-Chauncelloz, or their sufficient Deputie in the said Uniuersitie. 1. Eliz. 1. And all other persons which haue taken, or shal take Orders, commonly called Ordines sacros, or Ecclesiasticall Orders, haue been, or shalbe preferred, or admitted to an

any degree of Learning, in any Vniuersitie within this Realme, or Dominions to the same belonging. And all Scholemasters, publike and priuate Teachers of children, as also, all persons that haue taken or shall take any degrees of Learning, in, or at the common Lawes of this Realme, as well vnder Barresters, as Benchers, Readers, Auncients in any House or Houses of Court, and all principall Treasurers, and such as be of the Graund Companie in euery Inne of Chaucerie. And all Attorneys, Prothonotaries, and Philizers, towards the Lawes of this Realm, and all manner of Sherifes, Escheatores, and Feodaries, and all other person and persons, which haue taken, or shall take vpon him, or them, or haue been, or shall be admitted to any Ministerie, or Office, in, at, or belonging to the common Law, or any other Law, or Lawes, or to or for the execution of them, or any of them, used, or allowed, or at any time hereafter to be used or allowed within this Realm, or any other the Dominions or Countries belonging, or which hereafter shall happen to belong to the Crowne or Dignities of the same. And all other Officers and Ministers of, or towards any Court whatsoever, and euery of them shall take and pronounce a Cozpozall Oath vpon the Euangelists, befoze he or they shall be admitted, allowed, or suffered to take vpon him, or them, to vse or occupie any such Vocation, Office, Degree, Ministerie, Roome, or Seruice, as is aforesaid, and that in the open Court, whereunto he doth or shall serue, or belong. And if he doe not, nor shall not serue nor belong to any open Court, then he shall take the Oath aforesaid in an open place, befoze a conuenient assemblie, to witnesse the same, and befoze such person or persons, as haue authoritie by common vse, or otherwise, to admit or call any such person to any such Vocation, Roome, or Seruice, or else befoze such, as by the Queenes Commission, vnder the Great Seale shall be assigned to accept the same, according to the Tenor, Effect, and Foyme of the same Oath, Verbatim. Euery person which shall be elected or appointed a Knight, Citizen, or Burgesse, or Baron, for any of the five Ports for any Parliament, shall befoze he shall enter into the Parliament house, or haue any voice there, openly receiue and pronounce the said Oath befoze the Lord Steward, or his Deputie or Deputies appointed. And he which shall enter into the Parliament house without taking the said Oath, shall be deemed no Knight, Citizen, Burgesse, nor Baron for the Parliament, nor shall haue any voyce, but shall be to all intents, as if he had neuer been returned, nor elected Knight, Citizen, Burgesse, or Baron for the Parliament, and shall suffer such paines and penalties, as if he had presumed to sit in the same, without Election, Returne, or Authoritie. And every Archbishop and Bishop haue power to tender the Oath aforesaid to euery or any spirituall person within his proper Dioces, as well in Iurisdiction &c. exempt, as elsewhere. 5. Eliz. 1.

To whom
Bishops may
tender the oath.

6 If any person appointed, or compellable by either of the Acts made An. 1. Eliz. & 5. Eliz. to take the Oath, or any person to whom the said Oath shall be tendered by others, hauing thereunto authoritie by Commission directed vnto them by the L. Chawncelloz &c. or Lord Keeper, vnder the great Seale of England (which without further warrant hath authoritie to direct such Commission) shall at the time of the said Oath so tendered, refuse to take or pronounce the same in manner and foyme aforesaid, then the partie so refusing, and being thereof lawfully indicted, or presented, within one yeare next after any such refusall, or conuicted, or attainted at any time after, according to the Law, shall suffer and incur the paines, penalties, and forfeitures, provided by the Statute of Prouision and Præmunire, made 16. R. 2. 5. Eliz. 1.

The punishment of the
refusall of the
Oath.

7 All and euery such person and persons, hauing authoritie to tender the Oath aforesaid, shall within xl. dayes next after such refusall of the said Oath, if the Terme be then open: And if not, then at the first day of the full Terme next following

Certificat of
the refusall in
the R. Bench.

Crown, King, Queene.

following the said xl. dayes, make true Certificat vnder his or their seale or seales, of the name or names, places, and degrees, of the person or persons, so refusing the same Oath, in the Kings Bench, vpon paine that euery of the said persons hauing such authoritie, making default of such Certificat, shall for euery such default forfeit 100. l. to the D. &c. And the Shirefe of the county where the Kings Bench shall be holden, shall, or may empanell a Iurie of the same countie, to enquire of euery such refusal: which Iurie shall and may vpon euery such Certificat and other euidence to them giuen, indit the offendor, in such sort as they may doe of any offence committed against the D. peace, within the same countie &c. 5. Eliz. 1.

The second
refusal of the
Oath.

8 If any of the persons appointed by this Act to take the Oath aforesaid, doe after the space of iij. moneths next after the first tender thereof, the second time refuse to take and pronounce, or do not take and pronounce the same, in forme aforesaid to be tendered: then euery such offendor, for the same second offence, shall forfeit and suffer such like, and the same paines, forfeitures, iudgements, and executions, as is vsed in cases of high Treason. But this Act &c. or any attainer to be had by force thereof, shall not extend to make any corruption of blood, the disinheriting of any heire, forfeiture of dower, nor to the prejudice of the right or title of any person other then of the offendor, during his naturall life onely. And it shall and may be lawfull to euery person and persons, to whom the right and interest of any lands, tenements or hereditaments, after the death of any such offendor, should or might haue appertained, if no such attainer had been, to enter into the same, without any Ousterle maine to be sued, in such sort as he or they might haue done, if this Act had neuer been made. 5. Eliz. 1.

Barons.

9 This Act shall not extend to compell any Tempozall person, of, or above the degree of a Baron of this Realme, to take or pronounce the Oath aforesaid, nor to incurre any Penaltie limited by this Act, for not taking or refusing the same. 5. Eliz. 1.

Who shall take
the Oath
vpon the se-
cond tender.

10 No Person shall be compelled by vertue of this Act, to take the Oath aboue mentioned, at the second time of offering the same, according to the forme appointed by the Statute, except he hath been, is, or shall be an Ecclesiasticall person, that had, hath, or shall haue in the time of one of the Raignes of the D. Father, Mother, or sister, or in the time of the Raigne of the Quene, her heires, or successors, charge, cure, or office in the Church, or such persons, as had, hath, or hereafter shall haue any Office or Ministerie in any Ecclesiasticall Court of this Realme, vnder any Archbishop, Bishop, in any the times or Raignes aforesaid, or such as shall wilfully refuse to obserue the orders for diuine seruice, that be authorized to be vsed and obserued in the Church of England, after that he shall be publickely by the Ordinarie, or some of his Officers for Ecclesiasticall causes, admonished to keepe and obserue the same, or such as shall openly and aduisedly depzaue by words, writings, or any other open fact, any of the Rites and Ceremonies, at any time vsed, and authorized to be vsed in the Church of England, or that shall say or heare the private Masse prohibited, by the Lawes of this Realme. And all such persons shall be compellable to take the Oath vpon the second tender of the same, and incur the penalties for not taking of the said Oath, and none other. An 5. Eliz. 1.

The exposition
of the Oath

11 The Oath expressed in the said Act made 1. Eliz. shall be taken and expounded in such forme, as is set forth in an admonition annexed to the D. Injunctions, published An 1. of her Raigne, viz. to confesse and acknowledge in her, her heires, and successors, none other authoritie then that, which was challenged and lately vsed by King H. 8. and King Ed. 6. 5. Eliz. 1.

What they shall
be bound vnto
who shall be nat-
uralized, or res-
tozed in blood

12 No person or persons of what qualitie, condition, or place soeuer, being of the age of eightene yeares or aboue, shall be naturalized, or restozed in blood, vnlesse the same person or persons haue receiued the Sacrament of the Lords Supper,

with

within one month next before any bill exhibited for that purpose. And also that take the Oath of Supremacie and Allegiance in the Parliament house before his or her Bill be twice read. And for the better effecting of the premises, the Lord Chancellor of England, or Lord keeper of the great Seale for the time being, if the Bill begin in the Upper house, and the Speaker of the Commons house of Parliament for the time being, if the Bill begin there, shall have authoritie at all times during the Session of Parliament to Dismiss such Oath and Oathes, and to such person and persons, as by the true intent of this Statute is to be Dismissed. This Act to take place from and after the end of this present Session of Parliament. 7. Jac. 2.

13 All Feoffements, Gifts, Grants, Demises, Presentments, Prominations, and all other writings, whereof sealing is requisite to be made, of any parcell of the Earldome of March, shall be had, done, and made by the k. under the great Seale of his Chancery, as it is used in all other writings concerning the Crowne, by the course of the common Law, and by none other Seale. 4. H. 7. 14.

1 Several Assurances, Limitations, and Recognitions of the title to the Crowne of England &c. An. 7. H. 4. 2. An. 25. H. 8. 22 An. 28. H. 8. 7. An. 35. H. 8. 1. An. 1. Eliz. 3. An. 1. Jac. 1.

2 For the Prerogatives and Preheminences of the Crowne, King, and Queene, S. Prerogative 1. &c.

3 For all Bonds made to the King, and how he shall be answered all his debts, duties, Accompts &c. S. Accomprants &c. 1. &c.

4 The Commissioners of Sewers Decree shall bind the Kings Lands. See Sewers 8.

5 The force of a fine levied by tenant in taile, whereof the Reversion or Remainder is in the King. S. Fines 17.

6 The force of a Recouerie of lands intailed, whereof the Reversion or Remainder is in the King. S. Recouerie 2.

7 No costes shall be recovered in a suit pursued to the Kings use, though the verdict passe against the plaintiff. S. Damages 9.

8 The Kings Children borne beyond the Seas, are inheritable in England. S. Abilitie 1.

9 The validitie of writings made in the name of the Raigne of any other then the lawfull Queene. S. 1. M. 4.

10 Who shall have the Jewels of the Crowne. S. 1. H. 6. 5.

11 Accusing the Queene. S. 33. H. 8. 21.

12 There shall be no forfeiture of life, lands, goods, &c. for doing true service to the King. S. Forfeiture 4.

Custos Rotulorum.

The Chauncelloz of England, or Lord keeper of the great Seale for the time being shall from time to time, without any Bill to be assigned with the kings hand, name and appoint such person to be Custos Rotulorum, within every Shire of this Realme of England, Wales, and other the kings Dominions, Marches, and Territories of the same, as by the discretion of the Lord &c. shall be thought meete to have and exercise the same. And the said person so appointed, shall and may exercise and enjoy the same Office of Custos Rotulorum by himselfe, or by his sufficient Deputie or Deputies. 2. Ed. 6. 1.

2 But the Bishops of Exeter, of Durham, of Ely, and every of their successors, the Chauncelloz of the Duchie of Lancaster for the time being, and every person, Corporation, and bodie Corporate, which have authoritie, by lawfull meanes, to ordaine

The Lord Chauncelloz shall appoint the Custos Rotulorum.

These may appoint the Custos Rotulorum.

Customes, Subsidies, Customers, &c.

ordaine any of the said offices of Custos Rotulorum within any place, shall and may enjoy the same authoritie, according as they haue had the same, this act &c. notwithstanding. 3. Ed. 6. r.

Customes, Subsidies, Customers, Controullers and Searchers.

A Subsidie
of Tonnage
granted to
the King.

Poundage.

Time and
Dewter.
Exceptions.

Wool.
wooll-felles,
Hides and
Buckles.
Merchants
Strangers.

The penaltie,
if the custome
be not payd.

A remedie
where goods
customed shall
be taken or
perished.

ANNO 1. Iacob. 33. There was granted to the King during his life a Subsidie of Tonnage, that is to say, Of euery Tonne of Wine that is or shall come into this Realme, or any of the Kings Dominions, by way of Merchandise the summe of thre shillings, and so after that rate: And of euery Tonne of Sweete Wines, as well Palmesse, as other, that is, or shall come into this Realme by any Merchant Alien &c. and so after that rate, ouer or aboue the thre shillings aboue mentioned: And of euery Tonne of Wherish Wine, that is or shall so come in, twelue pence. And also one other Subsidie called Poundage, that is to say, of all maner of goods and Merchandizes of euery Merchant Denizen, and Alien, carried, or to be carried out of this Realme, or any of the Kings dominions, or to be brought into the same by way of Merchandize, of the value of euery twentie shillings of the same Goods and Merchandizes twelue pence, any so after the rate: And of euery twentie shillings value of Tinne and Pewter Vessell carried out of this Realme, by euery, or any Merchant Alien &c. ouer and aboue the xij. s. aforesaid. (Except out of this grant of Subsidie of Poundage, all maner of Wollen Cloth made or wrought, or which shalbe made or wrought within this Realme of England, and by euery, or any Merchant Denizen, and not bozne Alien, carried or to be carried out of this Realme. And all maner of Woolls, Wooll-felles, Hides, and buckes of Leather, that is or shalbe carried forth of this Realme: And all Wines not before limited to pay Subsidie, or Tonnage: And all maner of fresh Fish, and Shell comming, or that shall come into this Realme.) And further, one other Subsidie, that is to say, of euery Merchant borne Denizen, of, and for euery sacke of Wooll xxij. s. iij. d. And of and for euery 240. Wooll-felles, xxij. s. iij. d. And of and for euery Last of Hides and Buckes iij. l. vi. s. viij. d. And so after the same rate, for euery lesse or greater quantitie, for any the same Merchandize, more or lesse: And of euery Merchant stranger, not bozne Denizen, of, and for euery sacke of Wooll iij. l. vi. s. viij. d. And of and for euery 240. Wooll-felles iij. l. vi. s. viij. d. And for euery Last of Hides and Buckes iij. l. viij. s. iij. d. And so of all the said Woolls, Wooll-fels, Hides, and Buckes, and euery of them, after the rate.

2 If any Wines, goods, and other Merchandize, whereof any the Subsidies aforesaid are or shalbe due, shal at any time be shipped, or put into any Boat or other vessell, to the intent to be carried into the parts beyond the Seas, or else be brought from the parts beyond the Seas into any Port of this Realme, or other the Kings Dominions, by way of Merchandize, and unshipped to be laied on land, the Subsidie, Custome, and other duties, due, to be repaid for the same, not paid or lawfully tendered, or the Collector thereof, or his Deputie, with the consent and agreement of the Controuller, or Suruey or there, or one of them at the least not agreed with for the same in the Custome-house, according to the true meaning of this Act: Then al the said wine, goods, and merchandize whatsoever, shalbe forfeit to the R. highnes: the one moitie of the rate thereof to the R. and the other moitie to him or them that will seize the same, or sue for the same. 1. Iac. 33.

3 If any goods or Merchandize, as aforesaid of any Merchant, being bozne Denized, hath bene, or (during the time of this Grant) shalbe taken by Enemies or Pirats upon the Sea, or perished in any Ship, or Ships, that shall happen to be taken, or perished, within the time of the said Grant, whereof the Subsidies, and

and other duties aforesaid, are, or shall be duly paid, or agreed for, as aforesaid, and that duly proved before the Treasurer of England, or chiefe Baron of the Exchequer, for the time being, by the examination of the same Merchants, if they be alive, or of their Executors or Administrators, if they be dead, or by two credible witnesses at the least sworn, or other reasonable witness & proove sworn: then the same Merchant, or Merchants, his, or their Executors, or Administrators, shall or may newly shippe in the same port, where the goods or Merchandize aforesaid were or shalbe custome, so much other Merchandize or goods, as the same goods and Merchandize that are or shalbe lost, as aforesaid, shall amount unto in custome, without paying any thing for the same, so as the same proove be recorded & allowed of in the Court of Exchequer, and certified unto the Collectors of the custome of the port where the same wares and Merchandizes are to be newly shipped without Custome, as aforesaid. 2. Jac. 33.

4 Every Merchant Denizen that shall shippe any Wooll, Wooll-fels, Hides, or other goods or Merchandize in any Carrike or Galley, shall pay to the King all manner of Customes, and all the Subsidies aforesaid, as any Alien bozne out of this Realme. But it shall be lawfull to all and every of the Kings Subiects at his and their pleasure to carrie and transport out of this Realme, in the Shippes or other Vessels of any of the Subiects aforesaid, all and every kind of Herrings or other Sea-fish, to be taken upon the Seas, by any the Subiects aforesaid, from or out of any Port or Harbrough of this Realme, to any place out of the Kings Dominions, without paying any Custome, Subsidie, or Poundage money from the same &c. 1. Jac. 33.

& shipping in Carriages of Gallies.

Transporting of Sea-fish.

5 Like Custome and Subsidie shall be payd for such sweete wines which come through the Straites of Harrocke, otherwise Gallagay, being brought from the same place where the Palmesey is, and of the same nature of Grape, as is and hath been accustomed to be payd for Palmeseyes. 1. Eliz. 11.

Custome of sweet wines,

6 The Queene, her Heires, and Successors, shall receiue by the Customers and Officers of her Ports, for the custome of poundage of every Quarter of wheat to be transported (by force of the Statute made 13. Eliz.) 4d. and of every Quarter of any other Graine, 2d. And of every Quarter of Wheat that shalbe by any speciall Licence transported (and not by force of the said Statute) 4d. and of every Quarter of other Graine 2d. notwithstanding any words that shalbe contained in any Licence to the contrarie: Which said severall summes so taken, as Custome or Poundage, shall be in full Satisfaction of all manner of Custome or Poundage for the said Cozne and Graine, by any Constitution, Order, Statute, Law, or Custome heretofore made, used, or taken for transporting of any such manner of Cozne or Graine. 13. Elizabeth 13. See Corne 7. And the Queene, her Heires, and Successors shall haue and receiue by the Customers and Officers of her Ports, for the Custome or Poundage of every quarter of Wheat, to be transported by force of the Statute, made Ann 35. of her Raigne, two shillings, and of every Quarter of any other Graine, sixteene pence. Which said severall summes so to be had or taken as Custome or Poundage, to be in full satisfaction of all manner of Custome or Poundage for the said Cozne or Graine, by any Constitution, Order, Statute, Law, or Custome heretofore made, used, or taken, for transporting of any such manner of Cozne and Graine. Provided alwayes, that this Act, or any thing therein contained, shall not be prejudiciall or hurtfull to any former Letters Patents or Licence granted by her Maiestie to any person or persons, bodies politicke, or corporat, for the transporting of any Cozne or Graine, either at any lesser customes, or Subsidies, then is contained in this present Act, or without any custome, or Subsidie, but they and every of them, their Deputies and Assignes, shall and may transport Graine hereafter for the time in their severall Letters Patents

The Custome of Cozne transported.

Customes, Subsidies, Customers, &c.

Patents specified, either at such prices and rates, or without custome or Subsidie, in such maner and forme, as in the said Letters Patents is contained, according to the forme and effect of the same Letters Patents, and in such maner and forme, and not otherwise, to all intents and purposes, as if this present act had never been had, or made. 35. Eliz. 7. See Corne 6.

Sea fish transported without custome.

7 Every Subiect of the Queene, that shall transport in any ship, or other vessels, of any of the Queennes subiects with crosse sailes, any Herring, or other Sea-fish, taken upon the Seas by any of the said Subiect, out of any Port or Harboꝛ, or of this Realme, shall be free from payment of any custome, Subsidie, or Poundage money for the same Fish. 5. Eliz. 5. 1. Jac. 2. 5. to continue untill the end of the first Session of the next Parliament. S. Ships 1.

The Subsidy of Leather Calveskins, and Tallow.

8 Every person that shall ship, or carrie any Leather, Tallow, or raw Hides, beyond the Sea, shall pay to the Queene, her heires, and successours, for every Hide so carried, by the name of a Subsidie, x. shillings: For every dozen of calves skins, li. s. iiij. d. And for every 100. pound weight of Tallow, viij. s. viij. d. And all Commissioners, controllers, Farmors, and Supervisors of customs and Subsidie shall be accomptant to the Queene &c. to pay the said custome and Subsidie for all such goods entered and laden, upon paine to forfeit the treble value, and to make fine and ransom. 18. Eliz. 8. 3. H. 6. 3. S. Leather 50.

Transporting of Leather.

9 If any Leather wrought, cut, or unwrought, to the intent to be sold or bartered shall be unlawfully transported or purposed to be transported beyond the Sea out of any Port, Haven, or creeke of this Realme, or Wales, every Controulor, Custommer, Surveyor, Collector of Tonnage and Poundage, and Searcher, and the Deputie of any of them, or any other person hearing or knowing of any Leather meant to be transported from any place within his Office, and doe not his best endeavour to seize the same, or being transported, doe not disclose or cause to be disclosed the same, within xl. payes next after knowledge or hearing of the same in some Court of Record, so as the offender may be punished according to the Law, he shall for the first offence forfeit 100. l. and for the second, lose his Office. And every Customer, Officer, or his Deputie, that shall make any false certificate of the arrivall of any Leather in any Port, creeke, or place of this Realme, shall forfeit for every offence 100. l. But this Act shall not extend to any Scottish Hides, to be brought into the Towne of Warwicke out of the Realme of Scotland, being Registered in a Booke, therefore to be kept, by such person or persons, as the Mayor of the said Towne for the time being, shall thereunto name and appoint, with the name and surname of the buyer and seller, to the intent the English Hides might be knowne from the Scottish. But the inhabitants of the said Towne of Warwicke may lend, carrie, and transport such Scottish Hides, as they lawfully might transport before the making of this Act: 1. Jac. 2. 2. to endure untill the end of the next Sessions of the next Parliament. S. Leather.

Custome of Wool.

10 No English Merchant shall pay for the custome of a sacke of Wool, but vi. s. viij. d. 14. Ed. 3. 21. No Merchant Alien or Denizen, shall be compelled to pay any custome for their cannase or coznars, with which their Wools be packed. 34. Ed. 3. 19.

Small things not customed.

No owner of a Ship shall loose the same for a small thing therein put without his privitie not customed. 38. Ed. 3. 8.

Sureties of strangers to employ their money received &c.

11 Every Customer or Controller shall take sufficient suretie of every Merchant alien, vicualer, or other stranger, to employ the money received for his Merchandize, upon the commodities of this Land, or to put the same money for his Merchandize received in due payment (his reasonable expences deducted) upon paine of forfeiture of the value of the said Merchandize to the B. and J. &c. 3. H. 7. 8. 17. Ed. 4. 1. S. Merchants 9. Money 3.

12 If any Merchant Denizen, or stranger, shall sell, or offer to sell any cloth of gold,

gold, silver, bolwokin, belnet, damaske, latten, tartaron, chamlet, or other cloth of silke, or any coise of silke and of gold, or any coise of silke made beyond the Sea, before the Collectors of the subsidie of Tonnage and Poundage, and the Controller of the same, in the Port where such Merchandize is set upon land, have surueyed, measured, and sealed every peere thereof, in the one end with the seale ordained for the same, he shall forfeit the same, or the value thereof. 12. Ed. 4. 3. And if any Collector, Controller of the subsidie, or any of their Clerkes, do take any thing for sealing any of the foresaid peeces, he shall forfeit for every time xx. l. And if any of them doe unreasonably delay any merchant about the sealing of such merchandize, he shall forfeit for every offence xl. s. to the King and party grieved, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 4. H. 8. 6.

Silke shalbe surueyed and measured by the Customer.

The officer shall take no reward, nor delay the merchant.

13 Any person made or to be made denizen, shall pay for his merchandize like custome and subsidie inward and outward, as he should have paid before he was denizen. 1. H. 7. 2. 11. H. 7. 14. 22. H. 8. 8.

Aliens made Denizens

14 Euerie subiect bozne in England, & swozne to be subiect to a fozeine Prince, so long as he shal abide, and be subiect to a fozeine Prince, shal pay such Customes, Subsidies, Tolles, and other Impositions within this Kealme, as other Strangers of those parts where the said Englishman maketh his habitation, use to pay. But if after any such person doe retorne into the Kealme here to inhabite, then hee shall be restored to such Liberties, in paying of Customes and other charges, as other Englishmen use to pay, and haue a writ out of the Chancerie for the same. 14. H. 8. 4.

Englishmen subiect to other princes.

15 Euerie merchant which shall bring any goods into any Port in this Kealme, and there doth enter the same in the Customers books, and pay vnto him the kings dutie, and will after carry the same goods from thence, into any other port within this Kealme, shall bring from the Customers of the Port where the goods were entred, a Certificat vnder their Seales directed vnto the Customers of the Port whereto the goods shalbe conueyed, making mention therein of the colour, length, weight, content, and value of all the goods so entred: and the Customer or Officer to whom such certificat shall come, shal take nothing for the sight of the same good. And if any of the said goods shall be discharged, unpacked or put to sale within any Port (other then the same where they shall be first entred) before the said Certificat be deliuered, and the same goods seene, then they shalbe forfeit to the King, and him that will proue such forfeiture. 3. H. 7. 7.

Goods brought into one port, and then removed to another.

16 If a certificat be made by the customer of any port whereunto such merchandizes shall be first brought, and there in their Bookes entred, not making mention as is aforesaid, the Customer shall lose his office and make fine to the King at his pleasure. 3. H. 7. 7. The Custome and Subsidie of all woollen clothes to bee shipped and caried ouer the Seas (wherefoeuer they be packed) shalbe payed to the Customers of the Port, where any such clothes shalbe laden, or shipped, or to their deputies. 11. H. 7. 6.

Certificat entred into the Customers books.

woolfe clothes packed in one port, & shipped in another. warrants of discharge to the Merchant paying due customes.

17 Euerie Customer or Controoler, which wil not write, and deliuer sufficient warrants sealed with the Seale of their office, to any Merchant shewing and due by customing his merchandizes in the discharge of the same (without any thing retaining therofore, but onely the due custome) shal forfeit for euerie offence to the King. l. l. and to the merchant grieved v. l. for the which the said merchant shall haue an action. 11. H. 6. 15.

18 No person, Denizen, or Stranger, shall enter into the books of any Customer, or other officer of any Port or Haven, or his Deputie or Seruant any goods, wares, or merchandizes whatsoeuer, brought into the Kings dominions, or to be transported forth of the same, in the name of any other person then the very true owner of the same goods, being not sold or bargained for, by any person before such entrance.

No man shall enter goods in another mans name.

Customes, Subsidies, Customers, &c.

- Cocketting wools.** trie, or before the arrivall of such goods or merchandizes into the parts beyond the Sea, upon paine of forfeit of the value of the goods so entred. 1. El. 1. 1. H. 8. 5. 14. Ed. 3. 2. 1. And whosoever doth cocket wools but in the name of him whose the wools be, shall forfeit them. 13. R. 2. 9.
- Customing of others goods, whereby the King loseth his duty.** 19 If any Merchant Stranger, Denizen, or other the Kings Subject shall custom any goods, or merchandizes of any other, whereby the K. shall lose his custome, subsidie, or other right, or dutie, he shall forfeit all his goods and cattels personals for ever to the K. and J. that will sue within thye peares, to be recovered by A. J. etc. wherein no W. etc. C. P. etc. 3. H. 7. 7. 1. H. 8. 5. 2. Ed. 6. 22.
- Customs of wines.** 20 If any person inhabiting in the Cinque Ports, or other, being free of portage or butlerage of wines, by grant, custome, or otherwise, do custome the wines of any other person, being not free, he shall forfeit all his goods and cattels personals to the K. and J. that will sue within thye peares, to be recovered by A. J. wherein no W. etc. C. P. etc. 1. H. 8. 5. 2. Ed. 6. 22.
- Waste metall removed from one Port to another.** 21 If any Customer, Controulor, or his Deputie will suffer by contin or other undue meanes, any person, after that his Waste, Latten, Copper, Pettall etc. is shipped or carried, contrarie to the meaning of the Statute in that case provided, to make an Obligation without date for the discharge and Certificat of his Pettall: then he shall lose his Office, and the value of the Pettall. And if any Customer or searcher do willingly suffer any of the Pettalls aforesaid to be shipped, contrary to the meaning of the said Act, or else having knowledge that it is secretly shipped, or carried, doe not seize the same to K. use, then he shall loose his Office, and the value of the said Pettall. 33. H. 8. 7. 2. Ed. 6. 37. S. Brasse 3.
- Common officer of a town shalbe no officer in the Custom there.** 22 If a common Officer in any Citie, Borough, or Towne, or his Deputie, doe take upon him to be Customer, Controulor, or Searcher in any Port in the same Citie Borough, or Towne, he shall forfeit for every halfe yeare that hee occupieth both the said Offices x. l. to the K. and J. etc. 3. H. 7. 7.
- No Customer shal have a Ship, &c.** 23 If a Customer, Controulor of the Custom, Clerke, Deputie, Minister, Servant, Factor or Searcher, Controulor, or Surveior of Searches, or any of their Clerkes, deputies, Ministers, or Factors shall have any Ship of his owne (14. R. 2. 10.) or shal buy or sell by way or colour of merchandize, or meddle with the freighting of Ships, or have, or occupie any wharves or keies, or keepe any Anne or Turne (11. H. 4. 2.) or shal be Factor or Attorney for any Merchant denizen, or alien, or shal be host to any Merchant stranger, he shall forfeit for every such offence xl. l. to the K. and J. etc. 20. H. 6. 5.
- Customer concealing the Kings Custome.** 24 If any Customer, Collector, or Controulor of the K. customes, of cockets of Clothes, Subsidies, Tonnage, or Poundage in any place of this Realme, doe falsly conceale the Kings Custome or Subsidie duely entred and payed by any merchant, and be thereof duely attainted or convicted at the Kings suit, he shal forfeit the treble value of the Merchandize so duely customed, and also pay a fine, and he that will sue, shall have the third part. 3. H. 6. 3. And every customer upon the yeelding of his account in the Exchequer, shal be swoyne to answer to the K. all profits without fraud. 4. H. 4. 20.
- The Customer swoyne.** 25 The Customers and Controulors in every Port of England shall abide by on their Offices in their proper persons, without making any Deputie or Lieutenant in their name. 1. Hen. 4. 13. And thereunto they shall bee swoyne: And he which doth the contrarie, shall forfeit 100. pound, and be imprisoned. And the like summe shall a Searcher, and the Lieutenant of the kings chiefe Butler forfeit, if he doe not abide upon his Office, or doe make Deputie 4. H. 4. 20. But the customer of Lynne shall have a Servant, or Deputie, continually resident at the cite of Poike. And every other customer, controulor and searcher of everie Port shall assigne to and in everie of the Ports of London, Southhampton, Wyltow, &c.
- which Customers may make deputies, & which not.**

Wellscheffer, New-castle, and the suburbs of the same, and in every port, crake, or Rode (where the Servant of any of them haue bene continually resident by the space of ten yeares, or hereafter shall be) one able and sufficient Deputie or servant at the least. 1. Eliz. 11.

26 If a Customer, Controulor, Gaugeor of wines, or Searcher be absent from his Office by the space of three weekes, he shall loose his Office, except he be commanded to be in some of the Kings Courts of Record, or otherwise in the Kings service of Record. 1. H. 4. 13. 4. H. 4. 20. 13. H. 4. 5.

A Customer shall continue vpon his office.

27 As well every Customer, Controulor, and Searcher, as every of their Deputies and Servants, shall from time to time doe their diligent attendance at the houses, times, and places (appointed by the Statute made 1. Eliz. for laying on land Merchandize) in the Customs-house, and elsewhere, as it shall be most convenient for the speedie dispatch of the Merchant, his wares and merchandize, and for the due execution of the foresaid Act, in such things as to him shall appertain, without concealment or consenting to any thing, which may be to the damage of the Merchantes, or successors, in the iust answering of her Customs and Subsidies, vpon paine, that every such Customer, Controulor, and Searcher shall forfeit for every offence his office, and 100. l. to the Qu. and J. wherein no W. &c. C. D. J. &c. And if any Officer pertaining to the Subsidie, or Customs, doe know any offence, committed contrarie to any Article of the said Statute, and doe not disclose it within one moneth to the chiefe Officer of the same Port, or to the Lord Chancellor, Treasurer, Barons of the Exchequer, or Atturney generall &c. he shall forfeit 100. l. 1. Eliz. 11. S. Merchants 5. 6. 7. 8.

Officers of the Customs shall be attendant.

1 No Brasse, Copper, Mettall, &c. shall be shipped but out of a Port where there is a Customer. S. Brasse 5.

2 What Bonds, and vpon what paine, a Customer shall take for the carrying of Brasse or other Mettall from one Port to another. S. Brasse 3.

3 Masters of ships shall declare vnto the Customers, when they goe forth, and when they returne. S. Merchants 7. 8.

4 What Customs Aliens shall pay for salted Fish &c. brought into this Realme. S. Fish 18.

5 The forfeiture of a Customer, which sealeth a blanke Scrowe. S. 11. Henrici 6. 16.

6 The penaltie of a Customer, Searcher, &c. distraining or arresting any goods of the Kings subiects. S. 28. H. 6. 5.

7 The Kings Customs and Impost for Beere transported. S. Corne 6.

Damages and Costs.

Where any person shall sue forth or procure to be sued forth of the B. Bench any Latiat, Alias, or Pluries Capias against any person, which vpon the same shall be arrested, or appeare vpon the returne of any the said writs or proces, & shall put in his baile to answer such suit as shall be objected against him: Then if the partie at whose procurement the same writ or proces was obtained, doe not within three daies next after such baile taken put into the same Court his declaration against the same partie against whom such writ or proces shall be sued: Or if after declaration had, the plaintife shall not prosecute the same with effect, but shall willingly & apparatly to the same Court suffer his suit to be delayed: Or shall after declaration suffer the same suit to be discontinued: Or shall be nonsuit in the same, then the Judges of the said Court shall by their discretion, as they shall perceine a

Damages where the pt. doth delay his suit, doth discontinue, or is nonsuit.

It is

nie

Damages and Costs.

ny such default to be in the partie, at whose procurement such writs or proces were sued forth, toward to every such person so arrested or troubled by such writs or suit, his costs & damages, and charges by any meanes sustained, by occasion of any such writs, proces, arrests, or suits taken, had or sued against him, to be paid by such person, that so shall cause any such writs or proces to be sued forth. 8. Eliz. 2.

**Sutes in the
Hertshallep,
and Corpozat
Cownes.**

2 If any person shall cause any other person to be attached or arrested, to answer to any Bill, Plaint, Action, or Suit in the Court of the Hertshallep, or in any Court within London, or in any Citie, Borough, Towne corpozat, or other place, where any privilege is used to hold plea in any action personall, and doe not in all Courts (having their continuance de die in diem) within 3. daies next after the def. shall be bailed or otherwise appeare Court, by force of any arrest or attachment had & returned, & in all other Courts, at the next Sessions or Court to be holden after such arrests or attachments, & apparance of the def. whereas the said def. ought to appeare (unlesse a further day shall be especially given by the discretion of the Court, from whence any Precept, Proces, or Attachment shalbe awarded) exhibit his bill or declaration against such person as so by his meanes shalbe attached or arrested, into such Court where the party ought to appeare: Or if any such person, at whose suit any such attachment or arrest of any person shalbe so made, after his declaration, bill, or plaint exhibited, doe not from thenceforth prosecute the same his suit with effect, or shal suffer the same to be discontinued, or shal after be nonsuit in the same, or willingly & apparently to the same Court, shall for veracion of the def. delay the same suit, then the Judge or Judges of every such Court shall forthwith by his or their discretion, as he or they shal perceine any such default or delay in the party that procured any attachment or arrest to be had, toward to every such person, which shall be so attached or troubled, his costs, damages and charges, by any means sustained, by occasion of any such attachment, arrest, and suit so had against him, to be paid by such person that so shal cause any such attachment or arrest to be so made. 8. Eliz. 2.

**Arresting of
any person at
another's suit,
not knowing
thereof.**

3 If any person shall by any meane maliciously, or for veracion, procure any other person to be arrested or attached, to answer in any the Courts or places aforesaid, at the suit or in the name of any person, where indeede there is no such person knowne, or without the consent of such person, at whose suite, or in whose name such arrest or attachment shall be so had: then every person that shal so procure any such arrest or attachment, and shall thereof be convicted, or lawfully accused by Indictment, Presentment, or by the testimonie of two sufficient witnesses, or more, or other due proove, shall by every such offence by him committed, or procured, suffer imprisonment for moneths, without baile of mainprise, and before hee shalbe delivered out of the prison, shal pay unto the partie so arrested or attached by his meanes, treble the costs, charges, damages, and expences, that he shall be put unto, by reason of such attachment so had, and shall also pay unto such person, whose name or at whose suit he shal so procure such arrest or attachment to be made (if then there shall be any such person knowne) x. l. for every such offence. 4. Eliz. 2.

**Remedie for
the forfeitures
aforesaid.**

4 Every person to whom any costs, charges, damages, forfeiture, or payment of any money, by this Act shalbe awarded, or forfeited, may at all times have his remedie by for the recoverie thereof, by A. of debt, bill, or plaint, in any Court of Record, against such person, his heires, executors, or administrators, as ought to pay the same, by force of this act, wherein no W. C. P. &c. 8. El. 2.

**Damages in
a writ of error
sued before ex-
ecution.**

2 If any def. or tenant, against whom iudgement to recover is given, or if any other that shalbe bound by the said iudgement, sue before execution had, any Writ of Error, to reverse any such iudgement in delaying of execution, then if the said iudgement be affirmed good in the said writ of Error, & not erroneous, or that the said writ

Writ of Error be discontinued in the default of the partie, or that the person that sued such writ of Error, be nonsuit in the same, then the said person against whom the said writ of Error is sued, shall recover his costs & damages for his delay & wrongfull peration in the same, by discretion of the Justice before whom the said writ of Error is sued. 3.H.7.10.19.H.7.20.

6 If any person doe commence, or sue in any Court of Record, or in any other Court, any action, bill, or plaint of Trespasse upon the Stat. of 5.R.2.7. for entries into lands & tenements, where no entry is given by the Law: Or any action &c. of debt or covenant, upon any specialtie made to the plaint. or upon any contract supposed to be made between the plaintife & any person: Or any action &c. of Detinue of any goods or cattele, whereof the plaintife shall suppose that the proprietie belongeth to him: Or any action &c. of Account, in which the pt. supposeth the def. to be his Bailife, or receiver of his manor, mony, goods &c. to yeeld account: Or any action &c. upon the case, or upon any statute for any offence, or wrong personal, immediately supposed to be done to the plaintife, & the plaintife in any such action, bill, or plaint, after apparance of the def. be nonsuited, or any verdict happen to passe by lawfull triall against the plaintife, in any such action, bill, or plaint: Then the def. in every such action, bill, or plaint, shall have iudgement to recover his costes against every such plaintife. And that shall be assessed by the discretion of the Judge or Judges of the Court, where any such action, bill, or plaint shall be commenced, sued, or taken. And also every def. in such action, bill, or plaint, shall have such proces & execution for the recovery of his costs against the same plaintife, as the same plaintife should or might have had against the def. in case that the iudgement had bin given therein for the plaintife. 23.H.8.15. If any person or persons at any time after the end of this present Session of Parliament, shall commence or sue in any Court of Record, or in any other Court, any action, bill, or plaint of Trespas, or Eiectione firmar, or any other action whatsoever, wherein the plaintife or demandant might have costes (if in case Iudgement should be given for him.) And the Plaintife or Plaintifes, Demandant or Demandants in any such Action, Bill, or Plaint, after apparance of the Defendant or Defendants, be nonsuited, or that any verdict happen to passe by any lawfull tryall against the Plaintife or Plaintifes, Demandant or Demandants in any such Action, Bill, or Plaint: Then the Defendant and Defendants, in everie such Action, Bill, or Plaint, shall have Iudgement to recover his costes against everie such Plaintife and Plaintifes, Demandant and Demandants, to be assessed, taxed, and leuied in manner and forme, as costes in the said Actions are to be assessed, taxed, and leuied in and by the said Law of the three and twentieth yeare of King Henry the eight. 4. Iacob.3.

5 But all and everie such poore persons, being plaintifes in any of the said actions, bills, or plaints, which at the commencement of their suits or actions be admitted by the discretion of the Judge or Judges where such suits shall be pursued, or taken, to have their proces & counsaile of Charitie, without any money paying for the same, shall not be compelled to pay any costs by this statute, but shall suffer other punishment, as by the discretion of the Justices or Judge, before whom such suits shall depend, shall be thought reasonable. 23.H.8.25.

8 Every auowant, and every other person and persons that maketh any auowry, iustification, or cognizance, as baily or servant to any person or persons in any Replegiare, or second Deliueraunce, for rents, customes, seruices, or for damage felant or other rents, upon any distresse taken in any lands or tenements, if the same auowry, conuissance, or iustification be found for them, or the plaintifes in the same be nonsuit, or otherwise barred, then they shall recover their damages & costs against the said plaintifes, as the same plaintifes should have done, if they had recovered in

Damages in a writ of error sued before execution.

He that is allowed in Forma pauperis, shall not pay costes.

Auowant shall recover costs & damages against the pt.

Damages and Costes. Daies in Banke.

the Kepingiare oꝝ second delineraunce found against the said def. 7.H.8.4.21.H.8. 19.S. Anowrie 2.

Actions sued to the Kings etc.

9 Albeit the plaintife shalbe nonsuted in any whatsover Action, Suit, Bill, oꝝ Plaint, commenced oꝝ sued to the vse of the King, his heires, oꝝ successozs, kings of England, oꝝ that it shall happen any verdict to passe against any such plaintife in any such action &c. the defendant shall not recover any costs against any such plaintife 24.H.8.8.

The infoꝝmer shall pay costs & damages.

10 If any Infoꝝmer oꝝ plaintife vpon any penall statutes, shall willingly delay his suit oꝝ shal discontinue, oꝝ be nonsuit in the same, oꝝ shal haue the trial oꝝ matter passe against him therein by verdict, oꝝ iudgement of Law, in euery such case hee shall pay vnto the def. his costs, charges, and damages to be assigned by the Court, in which the same suit shalbe attempted: foꝝ the reuerie and execution whereof, the def. shall immediatly vpon the same costs, charges, and damages assigned, haue his Capias ad satisfaciendum, Fieri facias, oꝝ Elegit, to be awarded vnto him out of the same Court, in which the same shalbe so assigned. 18.Eliz.5. 27.Eliz.10.S. Action popular 4.

The alienē of the Disseisoz charged with Damages. Entre sur disseisin.

11 If disseisozs do alien their lands, & haue not wherof damages may be leuied, they to whose hands such tenements shal come, shall be charged with the damages, so that euery one of them shalbe charged with the damages foꝝ his time. And the disseisē shall recover damages in a writ of Entrie vpon disseisin, against him which is found tenant after the disseisoz. Glou.6.E.1.1.

Mordancester, Cofinage, Aiel, Besaiei.

12 Damages shalbe awarded where a man recovereth by assise of Mordancester, Cofinage, Aiel and Besaiei. Glouc. 6.E.1.1.

Where damages shalbe recovered, there costs also.

13 In all cases where the demandant shall recover damages (being the value of the issues of the land, there he shall also recover against the tenant, the costs of his writ purchased, with the said damages. Gloucest. 6.E.1.1.

Recovery vpon his owne intrusion.

14 Euery man shalbe compelled to render damages, where recovery is had against him vpon his owne intrusion, oꝝ act, which damages shall run after the writ purchased against him, though his ancestoz died seised thereof. 6.E.1.1.

The R. shall recover costs & damages.

15 The R. in all suits to be taken, vpon any specialty made to his grace, oꝝ any to his vse, shal recover his iust costs & damages as other common persons vse to do, in suits foꝝ their debts. 33.H.8.39.

In action foꝝ a summe not exceeding 100 s.

16 If vpon any action personal to be brought in any her Ma. Courts at Westminister (not being foꝝ any title oꝝ interest of lands noꝝ concerning h frechold oꝝ inheritance of any lands, noꝝ foꝝ any battery) it shall appeare to the Judges of the same court, & so signified oꝝ set down by the Just. before whom the same shall be tried, the debt oꝝ damages to be recovered therein in the same court, shal not amount to the summe of 100 s. oꝝ above, In euery such case the Judges & Justices before whom any such action shall be pursued, shal not award foꝝ costs to the party plaintife, any greater oꝝ moze costs then the sum of the debt oꝝ damages so recovered shal amount vnto, but lesse at their discretions. 43.El.6.1. Iac.25. to continue in foꝝce vntill the end of the first Session of the next Parliament.

1 A woman shall recover Damages in a writ of Dower, from the death of her husband. S.Dower 1.

2 Where treble Damages shall be recovered vpon Assise of Common. S.Approuements 5.

Daies in Banke.

4. Daies of returne in Trinity Terme.

¶ Trinity Terme shalbe foure common daies of returne onely, and not above, viz. the first day of returne shalbe and be called in crastino sanct. Trinitatis, The second day of returne of the same Terme shalbe and be called in octab. sanct. Trinitatis,

catis, The third day of returne of the same Terme shall be and be called in quindena sancti Trinit. And the fourth day of returne of the same Terme shall be and be called à die sancti Trinit in tres septiman. And the same daies of returne shall be obserued and kept in all the Kings high Courts of Record to be holden at Westminster, or other place or places, at the appointment or agreement of the R. his heires or successors. And there shall not be, nor be called any daies of returne in crast. sancti Iohani Baptist. octab. sancti Iohani Baptist. nor quinden sancti Iohani Baptist. nor any of them. 32.H.8.21.

2 And the said Terme of holy Trinitie shall verely for ever begin the Sunday next after Trinitie Sunday, whensoever it shall happen to fall, for the keeping of the excoines, proffers, returnes, & other ceremonies heretofore used and kept, in like manner & forme, as in times past hath bin used to be done in the day of returne commonly called in octab. sancti Trinit. And the full terme of the said Trinitie Terme shall verely for ever begin the Friday next after Corpus Christi day, in such and in like manner & forme, to all intents, as heretofore hath been used the wednesday next after Corpus Christi day. And the said second & third daies of returne, called octab. sancti Trinit and quinden sancti Trinit shall take their commencement & begin as in times past hath bin used. And the said fourth day called à die sancti Trinit in tres septiman shall take his commencement & begin from the said Trinitie Sunday into three weeks then next following, & shall haue his returne with the fourth day, as is accustomed in other like daies of returne. 32.H.8.21.

The beginning of Trinitie Terme.

3 If a writ come in octabis sancti Michaelis, day shall be given thereupon in octabis sancti Hilli. If in quinden sancti Michael, in quinden Hillarij. If in tribus septimanis sancti Michael, in crast Purificationis. If in mense Michael, in octab Purific. If in crastin Animarum, in quinden Pasch. If in crast sancti Martini, in tribus septiman Pasch. If in oct sancti Mart, in mense Pasch. If in quinden Mart, in quinque septiman Pasch. And also there is a day specially given in crastino Ascensionis, and it counteruaileth as much as quinque septiman Pasch. Ann 31.H.3. If any writ in any reall action come in and be returnable into any of the R. Courts in octab sancti Hillarij, the day shall be given in crast sancti Trinit. If in quinden sancti Hillarij, in oct sancti Trinit. If in crast Purific beate Mariæ, in quinden sancti Trinit. If in Octab Purific beate Mariæ, à die sancti Trinit in tres septiman. Ann 32.H.8. If in quinden Pasch in octab. sancti Michael. If in tribus septiman Pasch, then in quinden sancti Mich. If in mense Pasch, then in tribus septiman sancti Michael. If in quinque septiman Pasch or in crastin Ascensionis, in mense sancti Michael. Ann 31.H.3. If in any writ in any reall action come into any of the Kings Courts returnable in crast. sancti Trinit then day shall be given in crast Animarum. If in octab sancti Trinit, in crastino sancti Martini. If in quinden sancti Trinit, in oct. sancti Martini. If à die sancti Trinit in tres septiman in quinden sancti Martini. 32.H.8.21.

Dates given in real actions

4. Returnes:

4 In a plea of Dower, called (vnde nihil habet) four daies shall be given in the yeare at the least, and moe if it may conveniently be: So that they shall haue four or 6 daies at the least in the yeare. Marlb. 52.H.3.12. If the writ doe come octab. sancti Michael, day shall be given vntill crastin Animarum. If it come in quinden Mich day shall be given vntill crastin Martini. If in mense Mich. then in quinden Mart. If in crast. Animar then in oct Hillarij. If in crast Mart, then in quinden Hill. If in oct Mart then in crast Purific. If in quinden Mart, then in oct Purific. If in oct Hill, then in quinden Pasch. If in quinden Hill, then in trib septiman Pasch. If in crast Purific, then in mense Pasch. If in oct Purific, then in crast Ascensionis. Ann 31.H.3. And if any writ of Dower come into any of the R. Courts, & be returnable, in quinden Pasch, then day shall be given in crast sancti Trinit. If à die Pasch in tres septiman, in oct sancti Trinit. If à die Pasch in vnum mense, in quinden sancti Trinit.

Dates given in Dower.

4. Returnes:

Daies in Banke. Debts, Debtors.

Trinit. If à die Pasch. in quinque septim. or in craft. Ascend. dñi, then day shall be giuen into the day of à die sanct. Trin in tres septiman. And if any writ of dower come into any of the Kings Courts of Record in craft. sanct. Trin then day shall be giuen in Oct. sanct. Mich. If in Oct. sanct. Trin. in quinden sanct. Mich. If in quinden sanct. Trin. à die sanct. Mich. in tres septim. If à die sanct. Trin in tres septim. à die sanct. Mich. in vnum mens. or otherwile, as is appointed, limited, and declared by the Statute of Marlebridge. 32. H. 8. 21.

Special
daies assign-
ed for the
returning of
writs.

5 In Assises of Darreine presentment, & in a plea of Quare impedit of Churches vacant, daies shall be giuen from rb. to rb. or from three weeks to three weeks, as the place shall hap to be neere or farre, Marlb. 52. H. 3. 12. All common writs & proces, as well personall as mirt, which shall fortune to be returnable in Trinitie Terme, shall haue and keep the said returnes of craft sanct. Trin, octab. sanct. Trin. quinden sanct. Trin, & à die sanct. Trin in tres septiman, or any one of them. Provided alway, that in such & like cases & proces as speciall daies haue bin vled to be appointed, assigned, & giuen, for the returning of writs & proces, It shall be lawfull to the Justices of euerie of the K. Courts of Record for the time being, in all the proces by them awarded, to assigne & appoint speciall daies of returnes, as by their discretions shalbe thought convenient. Provided also, that the daies in assise of Darrein presentment, & in plea of Quare impedit, limited & appointed by the Stat. of Marlb. And also the daies to be giuen in Attaine limited in the Stat. 5. E. 3. 7. being not contrariant to the tenor of this act, shall be holden firme and stable, and shall stand in their full force and effect. Anno 33. H. 8. 21.

The Leape
year.

6 In summons and attachments in plea of Land, the writs shall containe rb. daies full at the least after the common law, if it be not in attachement of Assises taken in the K. presence, or of pleas before Justices in eire, during the eire. Artic. sup chart. An 28. E. 1. 15.

7 The day increasing in the Leape yere shall be accounted for one day, so that because of that day none shall be prejudiced, that is impleaded, but it shall be taken and reckoned of the same month wherein it groweth, and that day and the day next going before, shall be accounted for one day. Bessile, An. 21. H. 3.

1 Daies in Quare impedit and Assise of Darreine presentment. S. Quare impedit 1.

2 Daies in Attaint S. Attaint 2. 12.

3 Daies in a writ of Communi custodia. S. Wards 5.

4 Daies in action of Wast. S. Wast. 3.

5 Daies giuen in Admeasurement of Pasture or Dower. S. Admeasurement 1.

6 Daies of grace giuen to him in the reuerfion, which prayeth to bee received. S. Recceir 3.

Debts, Debtors.

Forreiners
shall not be
distressed
for debt.

It meane to
reconer small
debts in Lon-
don.

If a Citie, Borough, Market, or Faire, no forreiner shall be distrained for a debt that he doth not owe, or is not surety for: and he that doth it, shall be grievously punished, & presently the distresse shall be deliuered by the K. Bailifes of the place, or by other of the King Bailifes, if need be. West. 1. 3. E. 1. 23.

2 Every citizen & freeman of the citie of London, & every other person & persons inhabiting, or that shall inhabite within the said Citie or Liberties thereof, being a tradesman, victualer, or a labouring man, which now hanz, or hereafter shall haue any debt or debts owing vnto him or them, not amounting to xl. s. by any Citizen, or by any other person or persons, being a victualer, tradesman, or labouring man, inhabiting, or that shall inhabit within the said citie or liberties thereof, shall or may cause such debtoz or debtozs to be warned or summoned by the Beadle or Officer of

of the Court of Requests for the time being by writing to be left at the dwelling house of such debtor or debtors, or by other reasonable warning or notice to be given to the said debtor or debtors, to appeare before the Commissioners of the court of Requests, holden in the Guild Hall of the said City: And the said Commissioners, or any 3. of the, or more, shall have authority by vertue of this act, from time to time to set downe such order or orders betwixen such partie or parties plaintife, & his, or their such debtor or debtors def. touching such debts, not amounting to the value of xl.s. in question before them, as they shall find to stand with equity & good conscience. All such their order or orders to be registred in a booke, as they have bin accustomed, & as well the partie plaintife, as the debtor or def. to obserue, performe, & keepe the same in all points. And for the more due proceeding herein, it shall be lawfull for the same Commissioners, or any 3. or more of them, to minister an oath to the plaintife or def. and also to such witnesses as shall be produced on each partie, if the same Commissioners or any thre of them, or more, shall so thinke it meet. 3. Jac. 15.

3 If in any action of debt, or action upon the case upon an Assumpsit, for the recovery of any debt to be sued or prosecuted against any the person or persons aforesaid, in any of the B. Courts at Westminster, or elsewhere out of the said Court of Requests, it shall appeare to the Judge or Judges of the Court, where such action, shall be sued or prosecuted, that the debt to be recovered by the plaintif in such action, doth not amount to the summe of xl.s. And the def. in such Action shall duly proove, either by sufficient testimony, or by his owne oath, to allowed by any the Judge or Judges of the said Court, where such action shall depend, That at the time of commencing of such action, such def. was inhabiting & resident in the city of London, or the liberties thereof, as above: in such case the said Judge or Judges shall not allow to the said plaintife any costs of suit, but shall award, that the same Plaintife shall pay so much ordinarie costs to the party Defendant, as such def. shall iustly proove before the said Judge or Judges, it hath truly cost him defence of the said suit. 3. Jac. 15.

Suits for small debts in other Courts

4 If any such plaintif or credito, defendant or debtor, after warning given him or them, in maner & forme before in this act mentioned, by the said officer of the said Court of Requests, shall without some iust cause of excuse, refuse to appeare in the said Court before the said Commissioners, or shall not performe such order as the said Commissioners, or any 3. or more of them, shall set downe, for, or concerning such debts as aforesaid: Then it shall be lawfull for the said officer of the said Court, or any other of the Sergeants at Pace of the said citie, by order of the said Commissioners, or any 3. or more of them, to commit such partie or parties to prison, into one of the Counters of the said city, there to remaine untill he or they shall performe the order of the said Commissioners in that behalfe. 3. Jac. 15.

Refusing to appeare, or not performing of orders.

5 Provided alwaies, that this Act shall not extend to any debt for any rent, by, or on any Lease of Lands or Tenements, or any other reall contract, nor to any other debt that shall arise by reason of any cause concerning Testament or Patrimony, or any thing concerning or properly belonging to the Ecclesiasticall Court, albeit the same shall be vnder xl.s. Any thing before contained to the contrarie notwithstanding. 3. Jac. 15.

Reall contracts.

6 No Tradesman or Handicrafts man keeping a Shopbooke, his or their executors or administrators, shall after the Feast of Saint Michael the Archangell next comming be allowed, admitted or received to giue his Shopbooke in evidence in any action for any money due for wares hereafter to be deliuered, or for worke hereafter to be done, above one yeare before the same action brought, except he, or they, their executors or administrators, shall have obtained or gotten a bill of debt, or obligation of the debtor, for the said debt, or shall have brought or pursued against the said Debtor his Executors or Administrators some Action for the said debt, wares,

In what case a Tradesmans Shopbooke shall be no evidence to recover a debt.

Debts, Debtors, Demurrer. Dilapidations.

Entercourse
of traffique
between mer-
chants.

wares, or worke done within one yeare next after the same wares deliuered, money due for wares deliuered, or worke done: Provided alwaies that this Act shall not extend to any entercourse of traffique, merchandizing, buying, selling, or other trading or dealing for wares deliuered, or to be deliuered, money due, or worke done or to be done betweene Merchant and Merchant, Merchant and Tradesman, or betweene Tradesman and Tradesman, for any thing directly falling within the circuit or compasse of their mutuall Trades and Merchandizes: But that for such things only they, and euery of them, shalbe in case as if this Act had neuer bene made: any thing herein contained to the contrarie thereof notwithstanding. 7. Jacob. 12. This Act to continue to the end of the first Session of the next Parliament, and no longer.

Demurrer.

After demur-
rer indgement
shalbe giuen.

After Demurrer ioyned and entred in any Action, or Suit, in any Court or Record within this Realme, the Judges shall proceed and give Judgement, according as the very right of the cause and matter in Law shall appeare vnto them, without regarding any imperfection, defect or want of forme in any writ, returne, plaint, declaration, or other pleading, proces, or course of proceeding whatsoever: Except those onely which the partie demurring shall specially and particularly set downe and expresse together with his Demurrer. And no iudgement to be giuen, shalbe reuerled by any writ of Error, for any such imperfections, defect, or want of forme, as is aforesaid, except such onely as is before excepted. 27. El. 5.

The Court
may amend
defects.

2 After demurrers ioyned & entred, the Court where the same shall be, shall and may from time to time amend all and euery such imperfections, defects, and wants of forme as is before mentioned, other then those onely, which the partie Demurring shall specially and particularly expresse and set downe together with his Demurrer as is aforesaid. 27. Eliz. 5.

Appeals, In-
diment.

3 This act, or any thing therein contained, shall not extend to any Writ, declaration, or Suit of Appeale of Felonie, or Murder, nor to any Indictment, or presentment of Felony, Murder, Treason, or other matter, nor to any Proces upon any of them, nor to any Writ, Bill, Action, or Information upon any Popular or Penall statute: Any thing aforesaid to the contrarie notwithstanding. 27. Eliz. 5.

Information
upon penall
Statutes.

Dilapidations.

Fraudulent
deedes to de-
feat the succes-
sors of their
remedie for di-
lapidations.

If any Archbishop, Bishop, Deane, Archdeacon, Prior, Treasurer, Chaunter, Chauncello, Prebendary, or any other, hauing any dignity or office of any Cathedral Collegiat Church within this Realme, or any Parson, Vicar, or other Incumbent of any Ecclesiastical living, wherunto do belong any houses or buildings, which by law or custom he is bound to maintain in reparation, doe suffer any of his said houses or buildings to fall downe, or run in decay, & after do make any deed of gift, alienation, or other conueyance of his moveable goods or cattels in his life time, to the intent after his death, to defeat his successors of such iust actions & remedies as otherwise they might haue had for the same, against their executors, & administrators of their goods: Then the successors of him which shall make such deed, &c. shall and may commence suit, and haue such remedie in any Court Ecclesiastical within this Realme, competent for the matter against him or them, to whom such deed of gift or alienation shall be so made, for the amending and reparation of such Dilapi-

Dilapidations. Disceipt. Discontinuance of Proces. 180

just recompence for the same, as hath happened by his fact or default, in such sort as he might, should, or ought lawfully to have, if hee or they to whom such deed of gift were made, were executor of him that made such deed &c. or administrator of such goods &c. 13. El. 10.

2 Whosoever doth recover any sums of money, for, or in the name of Dilapidations, by sentence, composition or otherwise, and doth not within two yerres after the receipt thereof truly employ the same upon buildings, and reparations, in respect whereof such money for Dilapidations shall be paid, shall forfeit double so much to the Qu. as shall be by him received, and not employed. 13. El. 11. 1. Jac. 25. To continue untill the end of the first Session of the next Parliament.

Money recovered by dilapidations, shall be employed in reparations.

Disceipt.

If any Sergeant, Pleader, or other, do any disceipt in the K. Court, or do consent therunto, to deceive the court, or party, & is thereof attainted, he shall be imprisoned a yere & a day, & being a Counsellor, shall not any more be received to plead in the K. Court for any man. And if he be any other than a Pleader, he shall be imprisoned as aforesaid. And if the trespass require a greater punishment, it shall be at the K. pleasure. West. 1. 3. Ed. 1. 29.

2 A writ of Disceipt holdeth place, & is maintainable as well in place of garnishment, which toucheth plea of land where such garnishment is given, as in case of summons in a plea of Land. 2. Ed. 17. Northamp.

Discontinuance of Proces.

By the death, or demise of the King that now is, or of any that hereafter shall be King or Queene of this Realm, any action, suit, bill, or plaint, that shall depend between party and party, in any of the Kings courts, and other courts of Record, shall not in any wise be discontinued, or put without day: But the Proces, Pleas, Demurres, and Continuances in every Action, Actions, Suits, Bills, or Plaints, which shall depend, shall stand good, & be prosecuted, & sued forth, in such manner and forme, & in the same estate, condition, & order, as if the same King or Qu. had liued. And all manner of iudicial proces that shall be pursued in the time of the raigne of any other K. or Qu. then raigned at the time of the pursuit of the original, or other former Proces, shall be made in the name of the K. or Qu. that for the time shall raign and be K. or Qu. &c. And variance touching the same proces, betweene the names of the Kings or Queens, shall not be material, as concerning any default to be objected there. 1. Ed. 6. 7.

Death of the King shall not discontinue any suit.

2 Every Assise of Nouel disseisin, Assise of Mortdauncester, Iuris vtrum, & Attaine, which shall be arraigned, commenced, or sued before any Justices of assise shall not be discontinued, or put without day by reason of death, new Commission, association, or not comming of the same Justices, or any of them, but shall stand good in the law, to all intents, the death, new commission, association, or not comming of the same Justices, or any of them in any wise notwithstanding. 1. E. 6. 7.

Death, new commission, or association of Justices.

3 Albeit any demandant or plaintiff, in any action, bill, or suit, shall be made duke, Archbishop, Marquesse, Earle, Viscount, Baron, Bishop, Knight, J. of the one bench, or the other, or Sergeant at Law, depending the same action &c. yet no writ, action, or suit, shall for such cause be abatable, or abated, but shall remain in like force, as the same was before. 1. Ed. 6. 7.

Preferment of the plaintiffe to a name of dignitie.

4 Albeit any person being Justice of Assise, Justice of Gaole delinerie, or Justice of Peace, within any the Kings Dominions, or being in any other of the Kings Commissions whatsoever, shall be made Duke, Archbishop, Marquesse, Earle, Viscount, Baron, Bishop, Knight, Justice of the one Bench, or of the other

One shall remaine Just. & Commissioner, though he be preferred to or dignitie.

Discontinuance of Proces. Dispensations, Licences.

No Shirife
shalbe Justice
of Peace.

02 Sherieant at Law, 02 Shirife, yet he shall remaine Justice and Commissioner, and haue full power to execute the same, in like maner as he might 02 ought to haue done befoze the same. 1. Ed. 6. 7. But no person exercising the office of a Sherife of any Countie, shall execute the office of a Justice of the Peace, by force of any Commission, 02 otherwise, in any Countie where he shalbe Shirife, during the time onely that he shall exercise the said office. 1. Ma. 8.

New Justices
may give
indgement of
a Prisoner
found guilty
and repried.

5 In all cases, where any person shall be found guiltie of any Treason, Murder, Manslaughter, Rape, 02 other Felonie whatsoeuer, for the which Iudgement of death should 02 may ensue, and shal be repried to prison without indgement at that time giuen against him: Those persons that at any time shal by the Kings Letters Patents be assigned Justices to deliuer the Gaole, where any such person found guiltie shall remaine, shall haue full power to giue Iudgement of death against such person so found guiltie and repried, as the same iustices (befoze whom such person was found guilty) might haue done, if their Commission of Gaole deliuey had remained in full force. 1. Ed. 6. 7.

Prossut befoze
Justices shall
be discontinued
by a new
Comission.

6 No proces 02 suit made, sued, 02 had befoze any Justices of Assise, Gaole deliuerie, Oyer and Terminer, Justices of Peace, 02 other of the Kings Commissioners, shalbe discontinued by the making and publishing of any new Commission 02 association, 02 by altering of the names of the Justices of Assise, Gaole deliuey, Oyer and Terminer, Justices of Peace, 02 other the Kings Commissioners, but the new Justices, and other Commissioners may proceed in euery behalfe as if the old Commissions and Justices and Commissioners had still remained not altered. 1. Ed. 6. 7. 11. H. 6. 6. S. Iust. of Peace 109.

Dispensations, Licences, Faculties, &c.

No Dispen-
sations from
Rome.

N^O person of the Kings Dominions shall pay any pensions portions, 02 other Impositions, to the vse of the Bishop 02 Sea of Rome: Neither shall any person sue to the said Bishop, 02 Sea of Rome for Licences, Dispensation, Compositions, Faculties, Graunts, Rescripts, Delegacies, 02 any other Instruments, 02 writings, for any cause 02 matter, for the which any Licence, 02 other writing &c. heretofore hath beene vled to be obtained at the Sea of Rome, 02 by authoritie thereof, 02 of any Plate of this Realme. Noz for any manner of other Licences, Dispensations &c. 02 other writings, that in causes of necessitie may be lawfully graunted, without offending of the holy Scriptures and Lawes of God: But euery such Licence, Dispensation Composition, Facultie, Graunt, Rescript, Delegacie, Instrument, and writing, necessarie for the King, his heires 02 successours, and his people, and Subiects, vpon the due examinations of the causes, and qualities of the persons procuring such Dispensations, &c. 02 other writings, shalbe granted, had, and obtained from time to time within this Realme, and other the Kings Dominions, and not elsewhere, in manner and forme following, and none otherwise. 25. H. 8. 21.

Dispensati-
ons to the
King.

2 The Archbishop of Canturburie, and his successours shall haue power and authoritie from time to time, by their discretions to giue, graunt, and dispose by an Instrument vnder the Seale of the said Archbishop, vnto the king, his heires and successours, kings of this Realme, aswell all manner such Licences, Dispensations, Faculties, Compositions, Graunts, Rescripts, Delegacies, Instruments, and all other writings, for causes not being contrarie 02 repugnant to the holy Scriptures and Lawes of God, as heretofore hath been accustomed to be obtained by the King, 02 his Progenitoys, 02 any of his 02 their Subiects, at the Sea of Rome, 02 of any person 02 persons by authoritie of the same: And all other Licences, Dispensations, faculties, compositions, graunts, rescripts, delegacies, instruments, and

and other writings, in, for, and upon all such causes and matters as shall be convenient and necessarie to be had, for the honour and surety of the King, his heirs and successors, and the wealth of this Realme: So that the same Archbishop, or any of his successors, in no manner of wise shall graunt any Dispensation, Licence, Rescript, or other writing befoze rehearsed, for any cause or matter, repugnant to the Law of God. 25. H. 8. 21.

3 The said Archbishop, and his successors, after good and due examination by them had, of the causes and qualities of the persons procuring for Licences, Dispen-
sations, Compositions, Faculties, Delegacies, Rescripts, Instruments, or o-
ther writings, shall have authoritie by themselves, or by their sufficient and substan-
tiall Commissarie, or Deputie, by their discretions from time to time, to grant and
dispose by an instrument vnder the name and Seale of the said Archbishop, to the
subjects of the K. his heirs and successors, all maner Licences, Dispen-
sations, Compositions, Delegacies, Rescripts, Instruments, or other writings, for
any such cause or matter, wherof heretofore such Licences, Dispen-
sations, &c. or writings have bin accustomed to be had at the See of Rome, or by authoritie therof,
or of any Prelat of this realme. 25. H. 8. 21.

Licences and
Dispensations
to subjects.

4 The said Archbishop & his Commissarie shall not graunt any other Licence, Dispen-
sation, Composition, Faculty, Writing, or Instrument, in causes vntwont,
and not accustomed to be had & obtained at the Court of Rome, nor by authoritie
thereof, nor by any Prelat of this Realm, vntill the King, his heirs or successors, or
his or their Councell shall first be aduertised thereof, & determine whether such Li-
cences, Dispen-
sations, &c. or other writings in such causes vntwont, & not accusto-
med to be dispensed withall, or obtained, shall commonly passe as other Faculties,
Dispen-
sations, or other writings, shall or no, upon paine that the grantees of every
such Licence, Dispensation, or Writing, in such causes vntwont, contrarie to this
Act, shall make fine at the pleasure of the King, his heirs & successors. And if it be
thought by the King, his heirs or successors, or his or their Councell, that Dispen-
sations, Faculties, Licences, or other writings in such causes vntwont, shall passe,
Then the said Archbishop, or his Commissarie, hauing Licence of the K. his heirs
or successors, for the same, by his or their bill assigned, shall dispence with them ac-
cordingly. 25. H. 8. 21.

Dispensations
to vntwonted
causes.

5 No maner of Dispen-
sations, Licences, Faculties, or other Rescripts or Wri-
tings to be granted to any person or persons by vertue of this act, by the said Arch-
bishop, or his Commissarie, being of such importance, that the Tare for the expedi-
tion therof at Rome extended to the summe of iij. l. or above, shall be put in execu-
tion, vntill the same Licence, Dispensation, &c. bee first confirmed by the King, his
heirs or successors, vnder the great Seale, and inrolled in the Chancerie in a Roll,
by a Clerke to be appointed for the same. And this act shall be a sufficient warrant
to the Lord Chancellor of England for the time being, or to the Keeper of the great
seale, to confirme in the name of the K. his heirs or successors, the foresaid writings
passed vnder the said Archbishops seale, by Letters Patents in due forme therof to
be made vnder the K. said great seale, remitting alwell the said writing vnder the
Archbishops Seale, as the said confirmation vnder the great Seale, to the parties
from time to time procuring the same. 25. H. 8. 21.

Dispensations
confirmed
by the great
Seale.

6 All such Licences, Dispen-
sations, Faculties, Rescripts, and other writings, Dispen-
sations without
confirmation.
for the expedition of the which the said Tare to bee payed at Rome was vnder iij. l.
shall passe onely by the Archbishops Seale, and shall not of any necessitie be con-
firmed by the great Seale: vnlesse the procurors of such Licence, Faculty, or Dis-
pen-
sation, desire to haue them so confirmed, in which case they shall pay for the said
great Seale to the vse of the King, his heirs and successors, v. shillings, and not a-
bove, ouer and aboue such tare, as shalbe hereafter limited, for the making, writing

Dispensations, Licences, Faculties, &c.

registering, confirmation, and inrolling of such Licences, Confirmations, and writings, vnder the said Care of iij. l. 2 s. H. 8. 21.

Licence to
marrie.

Acts done by
Licence, be
lawfull.

Clerkes of the
Faculties, &c.

Two booke
of Taxes.

7 Euerie such Licence, Dispensation, Composition, Facultie, Rescript, & writing, for such causes as the same was wont to bee iij. l. or above, so graunted by the Archbishop, and confirmed vnder the great Seale, And all other Licences, Dispensations, Faculties, Rescripts, and writings hereafter to bee graunted by the Archbishop, by vertue of this Act, wherunto the great Seale is not limited of necessity to be put (by reason that the same of them is vnder iij. l.) shalbe allowed and admitted good in Law, in all places, Courts and iurisdictions, as well Spirituall as Temporal, within the R. Dominions, and as beneficiall to the parties obtaining the same, as they should have been if they had been obtained, with all things requisite, of the See of Rome, or of any other person by authoritie thereof, without any reuocation, or repeale hereafter to be had of any such Licences, Dispensations, &c. And all children procreated after solemnization of any marriages hereafter to bee had or done by vertue of such Licences, or Dispensations, shall be admitted, reputed, and taken to be legitimat, in all Courts, as well Spirituall as Temporal, and in all other places, and shall inherit the inheritance of their parents and aunccestors, with in all the R. Dominions, according to the lawes and customes of the same. And all acts to be done, had, or executed according to the tenor of such Licences, Dispensations, Faculties, writings, or other instruments to be made or granted by authority of this Act, shall be firme, permanent, and remaine in force: Any foraine Lawes, Decrees, Canons, Inhibitions, Custome, Prescription, &c. to the contrarie notwithstanding. 25. H. 8. 21.

8 The said Archbishop, and his successours, shall haue power and authoritie to ordaine, make, and constitute a Clerke, which shall write and register euerie such Licence, Dispensation, Facultie, or other Instrument to bee graunted by the said Archbishop, and shall find parchment, ware, and silken laces convenient for the same, and shall take for his paines such summes of money as shall bee hereafter limited. And the king, his heires and successours, by their Letters Patents vnder the great Seale, shall depute and constitute one sufficient Clerke, being learned in the course of the Chancerie, which shall bee attendant vpon the Lord Chancellor, or the Lord Keeper of the great Seale for the time being, & shall make, write, and inroll the Confirmations of all such Licences, Dispensations, Instruments, and other writings, as shall be thither brought vnder the Archbishops Seale, there to be confirmed and inrolled: And also shall intitle in his Bookes, and inroll of record such other writings as thither shall be brought vnder the Archbishops Seale, not to bee confirmed, taking for his paines such reasonable summes of money as hereafter be limited. And as well the said Clerke appointed by the said Archbishop, as the said Clerke appointed by the king, his heires or successours, shall subscribe their names to euerie such Licence, Dispensation, Facultie, or other writing that shall come to their hands to be written, made, graunted, sealed, confirmed, registered, and inrolled, by authoritie of this Act, in forme as is before rehearsed. 25. H. 8. 21.

9 There shalbe two Bookes drawne and made of one tenor, in which shall bee contained the Taxes of all customable Dispensations, Faculties, Licences, and other writings wont to be sped at Rome, which Bookes, and euerie leafe of those Bookes, and both sides of euerie leafe, shal be subscribed by the Archbishop of Canturburie, the Lord Chancellor of England, the L. Treasurer of England, and the two chiefe Iustices of both Benches for the time being: To the which Bookes all suits for Dispensations, Faculties, Licences, & other writings afoze rehearsed, shall haue recourse, if they require it. And one of the said Bookes shall remaine in the hands of him which shall be appointed to be Register, and Scribe of the sayde Dispensations.

Dispensations, Faculties, and Licences vnder the said Archbishop of Canterbury, in forme as is aforesaid: And the other booke shall remaine with the Clerke of the Chauncerie, which by the king, his heires or successours, shall be appointed, as is before rehearsed: Which Clerke of the Chauncerie shall also note, and intitle particularly and daily in his booke ordained for that purpose, the number and qualitie of the Dispensations, Faculties, Licences, and other Rescripts and writings, which shall be sealed onely with the Seale of the said Archbishop: and also which shall be sealed with the said Seale, and confirmed with the great Seale, in forme as is before said, that all fraud and concealment in this behalfe may bee auoided. 25. H. 8. 21.

10. No man suing for Dispensations, Faculties, Licences, or other Rescripts, or writings, which were wont to be sped at Rome, shall pay any more for their Dispensations, &c. than shall bee contained, taxed, and limited in the said Duplicat bookes of taxes: Onely Compositions excepted, of which, being arbitrarie, no tax can be made: Wherefore the tax shall be set by the Archbishop of Canturburie, and the Lord Chauncelour of England, or the L. Keeper of the great seale for the time being. And such as shall exact, or receiue of any suitor more for any Dispensation, facultie, or licence, than shal be contained in the said bookes of Taxes, shal forfeit ten times so much as he shall extortionally receiue, & exact, to the R. his heires & successours, and the R. to be recovered by A. B. or P. wherein no C. D. or M. shall be admitted. 25. H. 8. 21.

The fees of Dispensations

Extortion in the Office.

11. The tax or summe appointed to bee paid for euerie such Dispensation, Licence, facultie, Rescript, or other writing granted by this Act, shall bee impleiued and ordered, as hereafter ensueth, viz. If the tax extend to foure pounds, or above, by reason whereof the Dispensation, Licence, facultie, Rescript, or writing which shall passe by the Archbishops Seale, must bee confirmed by the appension of the great seale: Then the said tax extending to foure pounds, or above, shalbe diuided into three parts, whereof two shal be perceiued by the said Clerke of the Chauncerie (to be appointed as is aforesaid) to the vse of the King, his heires and successours, and to the vse of the Lord Chauncelour, or the Keeper of the great Seale for the time being, and to the vse of the said Clerke, in such wise as is hereafter declared: And the third part shall bee taken by the said Clerke of the Archbishop, to the vse of the same Archbishop, and his Commissarie, and his said Clerke, and Register, in such sort as hereafter shalbe limited: That is to say, the said two parts shal be diuided into foure parts, of the which, three parts shall be taken to the vse of the King, his heires and successours, and the fourth part shalbe diuided into three parts, whereof the L. Chauncelour of England, or Lord Keeper of the great Seale for the time being, shall haue two parts, and the said Clerke of the Chauncerie the third part for his paines, trauell, and labour, that he is to do by vertue of this Act: And the said third part of the whole tax appointed to the Archbishop and his Officers, shall be diuided into three parts, whereof the Archbishop shall haue to his vse two parts, and his Officers shall haue the third part thereof: Of the which third part to be diuided into two parts, the said Clerke, or Register, which shall find parchment, waxe, and like, and shall deuise and write the said Dispensations, Licences, Faculties, &c. and register the same, shal haue for his said labour, and for receiuing and paying of the summes of money that shal come to his hands for Dispensations, Licences, Faculties, &c. the one moiety thereof: And the Commissarie of the said Archbishop appointed to seale the said Dispensations, Licences, &c. shall haue the other part: And if the tax bee vnder foure pounds, and not vnder fortie shillings, then the said tax shall be diuided into three parts, as is aforesaid, whereof the king, his heires and successours, shall haue two parts thereof, abating three shillings foure pence, which shalbe to the Clerke of the Chauncery, for subscribing, intitling

How the tax shalbe diuided

Dispensations, Licences, Faculties, &c.

titling, and inrolling the said Dispensations, Licences, &c. and receiving of the money so taxed: And the Archbishop and his Officers shall have the third part: which third part shall be divided into two parts, whereof the Archbishop shall have one entirely to himselfe: his Scribe and Commissarie shall have the other part thereof, equally to be divided among them, for their costs and paines in that behalfe. And if the tare be under xl.s. and not under xxvj.s. viij.d. the same tare shall be divided into two parts, whereof the one part shall be to the king, his heires and successors, deducting thereof two shillings for the Clerke of the Chancery, for his paines, as is aforesaid: and the other part shall be to the said Archbishop and his officers: which other part shall be divided into two parts, whereof the Archbishop shall have one, and his Scribe and Commissarie shall have the other, equally divided amongst them. And if the tare be under xxvj.s. viij.d. and not under xx.s. the same shall be divided into two parts, whereof the king, his heires & successors, shall have the one part entirely, abating thereof g.s. to the said Clerke of the Chancery: and the Archbishop & his officers shall have the other part: and the same other part shall be divided into three parts, whereof the Archbishop shall have one, his Commissarie the second, and his Scribe or Register the third. And in case the tare be under xx.s. the same shall be perceived to the use of the said Commissarie, Clerke of the said Archbishop, and Clerke of the Chancery, to be equally divided amongst them, for their paines and labour. 25. H.8.21.

Dispensations
by other Prelates:

12 Provided alwaies, That this Act shall not be prejudiciall to the Archbishop of Yorke, or to any Bishop or Prelate of this realme: But they may lawfully (notwithstanding this Act) dispence in all cases in which they were wont to dispence by the Common Law or Custome of the Realme, before the making of this act. 25. H.8.21.

Dispensations by the
guardian of
Spiritualties

13 If it happen the See of the Archbishopricke of Canturburie to be void, then all such manner of Licences, Dispensations, Faculties, Instruments, Rescripts, and other writings which may be granted by vertue of this Act, shall (during the vacation of the same See) be had, done, and granted, under the name and Seals of the Guardian of the Spiritualties of the said Archbishopricke for the time being, according to the tenor and forme of this Act, and shall be of like force & effect as if they had bin granted under the name and seale of the Archbishop for the time being. 25. H.8.21.

Archb denieth
to grant Dis-
pensations.

14 If the said Archbishop, or Guardian of Spiritualties for the time being, refuse or denie to graunt any Licences, Dispensations, Faculties, or other writings, which they be authorized to do by vertue of this act, in such manner and forme as is before remembred, to any person or persons that ought upon a iust, good, and reasonable cause to have the same, by reason whereof this act, by their wilfulnesse, negligence, or default, should take none effect: Then the Lord Chancelor of England, or Lord Keeper of the great Seale for the time being, upon any complaint thereof made, shall direct the Kings writ to the said Archbishop, or Guardian, denying or refusing to graunt such Licences, Dispensations, or ec. enioyning him by the said writ, upon a certaine paine therein to be limited by the discretion of the said Chancelor, or Lord Keeper ec. that he shall in due forme graunt such Licence, Dispensation, or ec. according to the request of the procurors of the same: Or else signifye to the King, his heires or successors, in the Court of Chancery, at a certaine day, for what cause he refused and denied to grant such Licence, Facultie, or Dispensation. And if it shall appeare to the said Chancelor, or Lord Keeper ec. upon such certificat, that the cause of refusall or deniall of granting such Licence, Facultie, or Dispensation, was reasonable, iust, and good: That then it so being proved by due search and examination of the said Chancelor or Lord Keeper, to be admitted and allowed: And if it shall appeare upon the said Certificat, that the Archbi-
shop,

shop, or Cardian, of wilfulnesse in contemning the due execution of this Act, without a iust and reasonable cause, refused, or denied to grant such Licence, Facultie, or Dispensation: When the King, his heires or successours, being thereof informed, after due examination had, that such Licences, Faculties, or Dispensations, may be graunted without offending the holie Scriptures, and Lawes of God, that haue authoritie in euerie such case, for the default, negligence, and wilfulnesse of the said Archbishop or Cardian, to send his writ of Intimation vnder the great Seale, commanding the Archbishop, or Cardian (that so shall denie or refuse to graunt such Licence, Facultie, or Dispensation) to make sufficient graunt thereof, according to the effect of this Act, by a certaine day, and vnder a certain paine in the said writ to be contained, and to be limited by the King, his heires or successours Kings of this Realme. And if the said Archbishop or Cardian, after the receit of the said writ, refuse, or denie to grant such Licences, Faculties, or Dispensations, as shall be entioined him by vertue of the said writ, and shew and proue before the King, his heires or successours, no iust or reasonable cause, why he should so doe: When the said Archbishop, or Cardian, which shall so refuse to put this Act in execution, according to the said writ of Intimation, shall suffer, lose, and forfeit to the K. his heires and successours, such paine and penaltie as shall bee limited and expressed in the said writ of Intimation. And ouer that, it shalbe lawful to the King, his heires, and successours, for euerie such default, and wilfulnesse of the said Archbishop, or Cardian, to giue power by Commission vnder the great seale, to two such Spirituall Prelats or persons to be named by the King, &c. as will do, and graunt such Licences, Faculties, and Dispensations, refused, or denied to be granted by the said Archbishop or Cardian, in contempt of this act. 25. H. 8. 21.

15 The said two spirituall Prelats, or persons, to whom in such cases any such Commission shalbe directed, shall haue authoritie to grant euerie such Licence, Facultie, Dispensation, Instrument, and other writting, so refused to bee graunted by the said Archbishop, or Cardian, for the time being, by an Instrument vnder their Seales, taking like fees and charges for the same, as is before rehearsed, and not above, vnder the pains afoze remembred. And euerie such Licence, Facultie, or Dispensation, for any causes or matters, whereunto any confirmation vnder the kings great Seale is appointed by this Act to be had in maner and forme aboue declared, shalbe had and obtained accordingly. And such Licences and Confirmations shal be had for like fees and charges as they are aboue specified, and not above, vnder the paines aboue mentioned. And euerie such Licence, Facultie, Dispensation, and other writting to be graunted by the said Prelats, or persons to be assigned by the K. or &c. as is afozesaid, shalbe of as good value, strength, and effect, and as beneficiall to the parties procuring the same, as if they had been made, granted, and obtained, vnder the name and seale of the said Archbishop. 25. H. 8. 21.

16 Provided alwaies, That this Act, nor any thing or things therein contained, shalbe hereafter interpreted or expounded, that the K. his Nobles, & Subiects, intend by the same to decline or varie from the Congregation of Christs Church, in any things concerning the very Articles of the Catholike Faith of Christendome, or in any other things declared by holie Scripture, and the word of God necessarie for their saluation: but onely to make an ordinance by policies necessarie for good conseruation of this Realme in peace, vnitie, and tranquillitie, from rapine & spoile, insuing much the old auncient customes of this Realme, in that behalfe: Not minding to seeke for any relieves, succours, or remedies, for any worldly things, and humane Lawes, in any cause of necessitie, but within this realme, at the hands of the K. his heires & successours, K. of this Realme, which haue, and ought to haue an Imperiall power and authoritie in the same, and not obliged in any worldly causes to any other superiour. 25. H. 8. 21. 1. El. 1. S. Ecclesiasticall &c. 19.

Dispensations granted by others.

The Catholike Faith continued.

Distresse.

Distresse.

No distresse
shalbe dzinen
forth of the
hundred where
it was taken.

No distresse
shalbe impo-
sed in severall
places.

Poundage
anony.

In what plac-
es distresse
shall not be
taken.

A distresse im-
pounded in a
Castle.

Damages for
a wrongfull
distresse.

None but su-
tors shalbe
distrained to
come to a
Court.

The Lord
shall not make
fine for distrai-
ning his ten-
ant.

Whofoener shall dzine any Distresse out of the Hundred, Rape, Wapen- take, or Lath, where it is taken (except it be to a Pound Duert within the same Shire, being not above thre miles distant from the place where it is taken) or shal impound in severall places, goods distrained for any cause at one time, where by the owner shall be constrained to sue severall Replevins for the deliverie of the same distresse, shall for. to the P. griened for everie such offence v. l. & treble dama- ges. 1. & 2. P. & M. cap. 12. No man shall cause a distresse to be dzinen forth of the countie wherein it was taken. Marlb. 52. H. 3. 4. West. 1. 3. E. 1. 16.

2 Whofoener doth take for keeping in a pound, poundage, or the impounding of any whole distresse, above iij. s. or doth take so much where lesse hath usually bin ta- ken, shall for. to the party griened v. l. and so much as he taketh over the said iij. s. &c. 1. & 2. P. & M. 12.

3 No man shall for any cause distraine out of his fee, in the Kings hightway, or common street: But the king and his Officers having special authoritie so to doe. Marlb. 52. H. 3. 15. West. 1. 3. E. 1. 16. Neither shal any man distraine in the ancient fees of the Church: but in such possessions as Ecclesiasticall persons haue purcha- sed of late, distresses may be taken. Articuli Cleri. 9. E. 2. 9.

3 If any man distrain another mans cattel, and dzine them into a Castle or for- tresse, and there hold them (being solemnly demanded by the Sherife or Bailife) a- gainst gages & pledges, so that the Sherife or Bailife cannot make deliverance of them to the owner, the Sherife or Bailife taking with him the power of the Coun- tie, or Bailiwicke, shall beat downe the Castle, & the plaintife shall recover double damages for all the losse which he hath received by his cattel, hinderance of his geynage, or in other manner (after the first demaund of the cattel made by the Sher- ife or Bailife) against him that tooke the cattel, or against his Lord, if hee bee not able to answer them. West. 1. 3. E. 1. 17. If any person great or smal wil not permit the distresses which he hath taken to be delivered by the K. Officers, according to the law & custome of the realm: Or wil not suffer summons, attachments, or executions of Judgements given in the K. court, to be made, he shalbe punished in the same man- ner, as one which will not suffer himselfe to be iustified by the law, & that according to the quantitie of his offence. Marlb. 52. H. 3. 3. S. Returne &c. 5.

5 If any person take reuenge or distresse, of his owne authoritie, without award of the K. Court, and therof be convicted: Or if one neighbour take a distres of ano- ther (whereby he hath received losse) without award of the K. Court, he shall make fine according to the quantitie of the trespassse, and neuerthelesse sufficient amends shalbe made to them which haue received losse by such distresse. Marlb. 52. H. 3. 1.

6 None shall distraine any to come to his court, which is not of his fee, or vpon whom he hath not iurisdiction by reason of his Hundred or Bailiwicke: Neither shall any man take a distresse without his fee, or the place where he hath iurisdic- tion, or Bailiwicke, vpon pain to make fine according to the quantitie of the offence. Marlb. 52. H. 3. 2. Neither shall any man distraine his freeholder to answer for his freehold, or any thing thereunto belonging, without the Kings writ. Marlb. 52. H. 3. 22.

7 If any distraine his tenant for seruices and customes, which he claimeth to be due vnto him, or for any other thing, for the which the Lord of the fees hath cause to distraine, and after it is found that the tenant doth not owe him any such, the Lord shall not therfore make fine, if he do suffer the distresse to be delivered according to the law & custome of the realme, but shalbe amerced, and the tenant shal recover his damages against him. Marlb. 52. H. 3. 3.

8 Distresses shalbe reasonable, according to the quantitie of the debt or damages, and not grienous, and he that taketh unreasonable & excessive distresses, shall be amerced. 51. H. 3. Marlb. 52. H. 3. 4. 28. Ed. 1. 12. S. Accompt. to the K. 52. Excessive distresse.

9 No distresses shalbe made but by bailiffs which be known and sworn, & they which do otherwise, and therof be convicted, shal answer to the parties griened their damages, if they therof do bying their action of Trespas, and also shall bee grienously punished by the K. West. 2. 13. Ed. 1. 37. Distresse by Bailiffs known & sworn

10 If the Sherife, or any other doo distraine another mans beasts, they whose the cattell be, may give them meat of their owne, without disturbance, or paying any thing therfore, whiles they do remaine in the pound. 51. H. 3. de district. Scaccarij. The owner may feed his cattell which be impounded.

11 No man shal be distrained by his beasts which till his land, nor by his sheepe, for the K. or any other persons debts, so long as one may find another distress, or other cattels sufficient whereof to lewie the debt or thing in demand, except it be the impounding of beasts, which a man findeth doing hurt, according to the custome of the Realme. 51. H. 3. de district. Scaccarij. 28. Ed. 1. 12. Although cattell and sheep shall not be distrained, if ac.

12 No cattell, nor other distresse taken for the Kings debt, nor for any other thing, shall be sold or given within fifteene daies after the taking thereof. 51. H. 3. de district. Scaccarij. But Collectors appointed for the gathering of money towards the repaire of any decayed Bridge, have power to distraine any person which shall be taxed, and refuse to pay towards the same, & to sell the distresse. 22. H. 8. 5. And errie Receiver, Bailiffe, and Collector of the K. lands, &c. for lack of payment of the rents, issues, and revenues within their Offices, may distraine & sell the distresse. 8. Ed. 6. 1. And the Surueyors of waies in enery Parish may lewie the forfeitures by distresse, and sell the distresse. 18. Eliz. 9. An it shalbe lawfull for the Constables and Headboroughes of any Towne, Parish, Village, or Hamlet, to distraine the goods of any inhabitants, which obstinately refuse to pay such ratable taxation and assessment which shalbe made vpon him for his part and portion of money recone- red against the Hundred vpon the Statute of Hup and Crie, and to sell the distresse. 27. Eliz. 13. Selling of distresse.
Bridges 3.
Accompt to the K. 14.
Highwaies 17.
Hup & Crie

1 Euerie Sherife shall appoint foure Deputies to make Repleuins, and deliuer distresses. S. Sherifes 22.

2 Where a man shall distraine out of his fee, for arerages of rents. S. Rents 1. 2. 3.

Dower.

A Widow after the death of her husband, incontinent and without any difficultie shall haue her mariage & inheritance, and shall give nothing for her dower, her mariage, or her inheritance, which inheritance her husband and she held the day of his death. And she shall tarie in the chiefe house of her husband forty daies after his death, within which daies her dower shalbe assigned her (if it were not assigned her before) or that the house be a Castle, & if she depart from the Castle, then a competent house shalbe forthwith provided for her, in the which she may honestly dwell untill her dower bee to her assigned, and she shall haue in the meane time her reasonable estoners of the common, and for her dower shall be assigned the third part of all the lands which were her husbands in his life time, except she were endowed of less at the Church dwlg. Mag. Chart. 9. H. 3. 7. And if any do deforce from a widow her dower, or Quarentine, of the tenements whereof her husband died seised, and after the same widow doth by suit recover the same, the deforceor shall peeld to the same widow her damages. viz. the value of her whole dower from the time of her husbands death vnto the day of her recoverie by Iudgement, and also the deforceor shalbe amerced at the K. pleasure. Merc. 20. H. 3. 1. A woman that haue her quarentine.

3 If a wife do willingly forsake her husband, and goe away, and continue with her

Dower.

Elopement
with an Adul-
terer, fo2 of
Dower.

her adulterer, she shall lose fo2 ever her action to demand her dower, which she ought to have of her husbands lands, if she be therof convicted (except her husband wil upon his owne good will, and without compulsion by Ecclesiastical Law, reconcile her, and suffer her to dwell with him) In which case her action shall be restozed again unto her. West. 2. 13. Ed. 1. 34.

The wife en-
dowed, though
her husband
be attainted.

3 Albeit any person shall be attainted, convicted, or outlawed of any misprision of Treason, Murder, or Felonie whatsoener, yet every woman that shall be wife of the person so attainted, shall be endowable, & enabled to demand and enjoy her dower, in like maner as though her husband had not bene attainted, convicted, or outlawed.

1. E. 6. 12. But the wife whose husband shall be attainted of any Treasons whatsoener they be, shall in no wise be received to demand or have dower of any the lands, tenements, or hereditaments of any person attainted of Treason, during the said attainder in his force: Any thing before mentioned to the contrarie notwithstanding. 5. Ed. 6. 11.

Exempli in
Treatise of
Addition
185.

A woman shall
not have both
jointure and
dower at her
husbands
lands.

4 If any persons do purchase, or shall have estate conveyed in any lands, tenements, or hereditaments, unto them, and to their wives, and to the heirs of the husband, or to the husband & to the wife, and to the heirs of their two bodies begotten, or to the heirs of one of their bodies begotten, or to the husband and to the wife for terme of their lives, or for term of life of the said wife: Or if any such estate or purchase of any lands, &c. shall be made to any husband, and to his wife, in forme above expressed, or to any other person or persons &c. to the use of the said husband or wife, or to the use of the wife, as is above rehearsed for the jointure of the wife: then in everie such case, every woman married having such jointure made, shall not claime nor have title to have any dower of the residue of the lands, tenements, or hereditaments, that at any time were her said husbands, by whom she hath any such jointure, nor shall demand nor claime her dower against them that have the lands and inheritance of her said husband: But if she have no such jointure, then she shall be admitted to have and demand her dower by writ of Dower, after the course of the Common lawes. 27. H. 8. 10.

If a womans
jointure be es-
tated she shall
be endowed.

5 But if any such woman be lawfully expelled or evicted from her said jointure, or from any part thereof, without any fraud or couin, by lawfull entrie, action, or by discontinuance of her husband, then she shall be endowed of as much of the residue of her husbands lands, tenements, or hereditaments, whereof she was before dowable, as the same lands so evicted &c. shall extend unto. 27. H. 8. 10.

A woman may
chuse whether
she will take a
jointure assu-
red after mari-
age, or her
dower.

6 Doubted, What if any wife shall have any lands, tenements, or hereditaments unto her given and assured after marriage, for terme of her life, or otherwise in jointure (except the same assurance be to her made by Act of Parliament) and the said wife after that fortune to overlive the same her husband, in whose time the said jointure was assured unto her, then the same wife may at her libertie after the death of her husband, refuse to take the lands so to her given during the coverture in jointure (except &c.) and thereupon demand and take her dower by writ of Dower, or otherwise, according to the Common Law, of and in all such lands, tenements, and hereditaments, as her husband was seised of any estate of inheritance at any time during the coverture. 27. H. 8. 10.

Dower vnde
nihil habet,

7 A writ of Dower vnde nihil habet, shall not be abated by the tenants exception, for that the woman hath received her dower of another man, before the writ purchased, if he cannot shew that she hath received part of himselfe, & in the same town, before the writ purchased. West. 1. 3. Ed. 1. 48.

A woman en-
dowable of
lands recover-
ed against the
husband.

8 If a man being impleaded of a tenement doth plainly yield it to his adversary, or doth loose it by default, in both the said cases after the death of the husband, the wife shall be allowed to bring her writ of Dower: And the tenant which recovered by default in the suit commenced against him, shall shew his right that he hath in

in the land, according to his former writ, whereby he recovered against the husband. And if he can shew that the womans husband had no right in the lands in demand, nor any other by himselfe, he shall go quit, and she shall recover nothing by her writ of Dower. But if he cannot shew it, the woman shall recover her Dower. West. 2. 13.E.1.4.

9 If a woman which is not indowable of the inheritance of an heire within age, do purchase a writ of Dower against the Gardein, & the Gardein by favour to the woman doth yeeld her dower, or maketh default, or defendeth the plea so faintly by collusion, whereby the dower is adiudged to the woman, in prejudice to the heire: The same heire when he cometh to full age, shall have an action to demand the seisin of his ancestor against the same woman, as he may have against any other deforcior: yet the woman shall have her exception saved against the demandant, to shew that she had right to her dower, which if she can verifie, she shall go quit, and retaine her dower, and the heire shall be amerced according to the discretion of the Justices: But if not, the heire shall recover his demand. West. 2. 13.Ed.1.4.

The heire recovereth the womans dower.

1 For dowment by the custome of Gavelkind, and what cause of forfeiture thereof. S.Prerog. 16.

2 The king shall have the reversion, if tenant in dower die, during the minority of his Ward. S.Wils 9.

3 For admeasurement of dower by the gardein or heire. S.Admeasurement 1.

4 Where the kings tenant in chiefe doth intrude and die, his wife shall not be endowed. S.Prerog. 13.Liuerie 2.

5 The graunte or committee of a Ward, shall not have aid of the king in a writ of Dower. S.Aid &c. 2.

6 Where a woman aliening her dower, or other particular estate, he in the reversion may enter, or have his action. S.Women 1.2.

7 A woman shall have her dower, though her husband be attainted of certaine offences made felonie or treason by statute. S.Treason 5, 6. Rome 1. Sheepe 2. Plague 4. Matrimonie 10. Coniuration 3.

8 Presentation to a Church by an vsurper during the estate of tenant in dower, shall not prejudice him in the reversion. S.Aduowson 1.

9 A woman consenting to a Rape shall forfeit her dower. S.Rape 3.

10 Where view shall not be granted in a writ of Dower. S.View.1.

Draperie.

Everie Cloth of Ray to be measured by the list, shall contain in length 28. yards, Cloth of Ray and being watered and rowed 24. yards, and in breadth 6. quarters, and $\frac{1}{2}$ halfe Cloth according to that rate, upon paine of forfeiture of the same. 2.E.3.14.47.E.3. 1.7.H.4.10.13.H.4.4.

2 No peece of plaine white Straits, or pinned white Straits made in the Countie of Devon and Cornwal, shall be made above 25. pounds in weight, 22. yards in length, or one yard in breadth, upon paine of forfeiture of the same, or the value thereof. 27.El.18. S.Br.57.

3 Everie peece of Lancashire Cotton, being sufficiently milled or thicked, cleane scourd, well wrought, & fully dyed, shall weigh 22. pounds at the least, and contain in length 22. goads, or twenty at the least, & in breadth at the most thre quarters of a yard, or within one naile of thre quarters of a yard at the most, upon paine to forfeit for every pound weight lacking under thre pounds, 25. s. and for every pound lacking above 15. l. s. to the 2. and 3. 8.El.12.

4 Every peece of Lancashire Frizes or Rugges, being thicked and fully dyed, shall weigh 22. pounds at the least, and shall containe in length bettwixt 22. Frizes, rugges, and

Draperie.

and xxxvj. yards, and shall containe in bzeadth at the most three quarters of a yard, or within one naile of thze quarters at the least, and not to be strained vpon the ten-
soys about one naile in bzeadth, vpon paine of forfeiture vt supra &c. If any of the
said cottons, frizes, or rugs shalbe of any greater length: Then euery yard to excee-
ding shal weigh after such rate as aforesaid, vpon paine of forfeiture for euery yard
not weighing after the rate xij. s. 8. El. 12.

**Broad cloth
in Kent, Sus-
sex, Keding.**

5 Euerie broad cloth made within Kent, Sussex, or the Towne of Keding, or
elsewhere of like making as the Clothes made there shall be of, shall containe in
length at the waier, euerie peece being thzough wet, betwixt xxvij. and xxx. yards
of measure that now is customably vsed, & in bzeadth 7. quarters within the list by
the whole length of the same cloth, the list to be of like making, and assise, as they
haue heretofore bin vsed. And euery peece of the said cloths being well scoured, thic-
ked, milled, and fully dyed, shalbe in weight 86. l. at the least. 5. Ed. 6. 6. 4. & 5. P. &
M. 5. S. Br. 129. & 162.

**Long wo-
rsters.**

6 All and euerie white Cloth made in the Citie of Worcester, commonly called
Long Worsters, & all like clothes of like making made within the city of Couen-
try, or elsewhere, shall containe in length being wet betwixt 29. and 31. yards the
peece, & to euery yard one ynch of the Standard, & shalbe of the bzeadth about specifi-
ed by all the length of the cloth, & listed as hath bin accustomed, & being well scou-
red, thicked, milled, and fully dyed, shall weigh 75. l. at the least. 5. Ed. 6. 6. 4. & 5. P.
& M. 5. S. Br. 130. 162. AL.

**Coloured
clothes.**

7 All & euery coloured cloth made in the said cities of Couentry & Worcester, or
elsewhere of like making, shalbe of the like length & bzeadth, as is last mentioned, &
be listed as aforesaid, & being well scoured, thicked, & fully dyed, shal weigh 80. l. at
the least. 5. E. 6. 6.

**Short wo-
rsters.**

8 All and euery white cloth, called short Worsters, made within the said citie
or county, or elsewhere of the same sort, shall containe in length being wet, betwixt
23. and 25. yards, yard and ynch of the rule, and shall be of the bzeadth thzoughout,
and by all the whole cloth, and listed, according to the auncient custome, and being
well scoured, thicked, and fully dyed, shall weigh 60. pounds the peece at the least.
5. Ed. 6. 6.

**Coloured lōg
clothes in
Suffolke,
Norfolke, and
Essex.**

9 All and euerie coloured long cloth made within Suffolke, Norfolke, & Essex,
or elsewhere of like sort, shall containe in length wet betweene 28. and 30. yards,
yard and ynch of the rule, and shall be in bzeadth by quarters of the yard within the
list at the least thzoughout the whole cloth, & listed as hath bin accustomed, & being
well scoured, thicked, milled, and fully dyed, shall weigh 76. l. at the least. 5. E. 6. 6.
43. El. 10. S. Br. 131. 162. AL.

**Coloured
short cloths.**

10 All and euery coloured short cloth made within any of the said shires, or el-
where of like sort, shall containe wet betweene 23. and 25. yards, yard and ynch of
the rule, and shall be in bzeadth six quarters and a halfe being wet, thzoughout and
by the whole cloth, and being fully scoured, milled, thicked, & dyed, shal weigh xl. l.
the peece at the least. And euerie course short cloth to bee made within the shire of
Kent not exceeding y price of 6. l. shalbe of the same bzeadth. 5. E. 6. 6. 4. & 5. P. & M.
5. 43. El. 10. S. Br. 132. 162. AL.

Handywarps

11 All and euerie coloured cloth made within the said shires of Suffolke, Nor-
folke, and Essex, or elsewhere of like sorts, commonly called handywarps, of what
length they shal happen to be: And all whites made in the said shires, or elsewhere,
as Cockfall whites, Glainfords, & other, being handywarps, of what lengths soe-
uer they shalbe, shal containe in bzeadth by quarters, and be listed, as aforesaid, and
being well scoured, milled, thicked, and fully dyed, shal weigh by the yd y. l. and a
halfe at the least. 5. E. 6. 6. 4. & 5. P. & M. 5. S. Br. 134. 162. AL.

12 All whites and reds made in the counties of Wilthire, Gloucester, and Som-
erset,

merfet, or elsewhere of like making, and all other whites made in any other part of this Realme not before remembred, shall containe in length being thorough wet, betwixt xxvj. and xxvij. yards (and being thoroughly wet, vij. quarters & a halfe with in the list, but wrought and list) and being scoured, thicked, milled, and fully dyed, shall weigh euerie peece being white lxx. and being coloured, lxx. at the least. 5. E. 6. 6. 4. & 5. P. & M. 5. S. Br. 137. & 162.

13 All broad Blunkets, Azures, Blewes, and other coloured cloth, made in the shires of Wiltshire, Gloucester, & Somerset, or elsewhere of like making, shall containe being wet, betwixt xxv. and xxviij. yards, yard & ynch of the rule (and being thorough wet, six quarters and a halfe at the least. 35. El. 9) & being wel scoured, thicked, milled, and fully dyed, shall weigh lxxij. at the least. 5. E. 6. 6. 4. & 5. P. & M. 5. S. Br. 135. & 162.

14 All Kersies called Ordinarie, shall containe in length betwixt xxvj. and xxvij. yards, yard and ynch, and being wel scoured, milled, thicked, dyed, and fully dyed, shall weigh lxx. at the least. And all Kersies called Doyting Kersies, shall containe in length at the water betwixt xxvj. & xxvij. yards, and being well scoured &c. ready to be shewed, shall weigh lxx. at the least. 5. E. 6. 6. 4. & 5. P. & M. 5. S. Br. 104. 105.

15 Kersies called Ordinarie Kersies, shall not exceed the length of xxvij. yards to be measured by the yard and ynch, and euerie ordinary Kersie of the length of xxvij. yards asforesaid, being wel scoured, thicked, milled, dyed, & fully dyed, shall weigh twentie and eight pounds, and one halfe pound at the least. And Kersies called Doyting Kersies shall not exceed the length asforesaid: and euerie Doyting Kersie of the length of twentie foure such yards as asforesaid, being well scoured, thicked, milled, dyed, and fully dyed, shall weigh two and thirtie pounds, and one halfe pound at the least. And euerie Kersie of a shorter length than xxvij. such yards as asforesaid, shall weigh proportionably to the foresaid weight, that is to say, Euerie ordinary Kersie after the rate of one pound & three ounces weight for euerie yard that the same shall containe in length: And euerie Doyting Kersie after the rate of one pound three ounces, and one halfe ounce in weight, for euerie yard that the same shall containe in length. And if it happen that any Kersie or Kersies hereafter to be made, shall either exceed the said length of twentie foure such yards, as asforesaid, or shall not weigh according to the respective rates and proportions asforesaid, then euerie person or persons that shall make, or cause the same to be made for sale, shall lose for every yard of such Kersie exceeding the length of xxvij. such said yards, the summe of d. s. only, and no more, And for euerie pound weight that shall bee wanting according to the proportions before respectively limited, shall forfeit ij. s. for euerie pound and no more, any former laws or Stat. limiting any other or greater penaltie or forfeiture, to the contrarie thereof in any wise notwithstanding. The one moiety of the said summes, penalties & forfeitures, to be to the K. his heires & successours, and the other moiety to him or them that will sue for the same, in any his Maiesties Courts of Record at Westmynster, by W. P. or J. Wherein no C. W. P. &c. Provided, that euerie person and persons, selling or trading any such Kersie or Kersies, shall pay unto the king for euerie peece of Kersie containing twentie foure yards, as much in custome and subsidie ratably, as such person or persons should and ought to pay unto his Maiestie for one peece and a third part of a peece, containing eightene yards. 3. Jac. 16.

16 Euerie broad cloth made in Taunton, Bridgewater, and other places of like sort, shall containe at the water in length betweene twelue and thirte yards, yard and ynch of the rule, in breadth seven quarters of the yard, and being well scoured, milled, thicked, and fully dyed, shall weigh thirtie pounds the peece at the least. 5. Ed. 6. 6. 43. El. 10. S. Br. 141.

17 Euerie

whites and
reds.

Blunkets, Azures, Blewes

Ordinarie
Kersies.

Doyting
Kersies.

The length &
weight of ordinary & doying
Kersies.

The custome
and subsidie
of Kersie.

Taunton and
Bridgewater
broad cloths.

Draperie.

Narrow
Cloths.

17 Everie narrow cloth made in the said Townes, and elsewhere of like sort, shal containe in the water in length betwixt twentie foure and twentie five yards, yard and ynch of the rule, and in bzeadth one yard of like measure, and being well scoured, &c. shal weigh xxx.l. at the least. 5. Ed. 6. 6. 43. El. 10. S. Br. 142.

Checke
Berries.

18 All Cloth named Checke Berries, and Straits, shal containe in length being wet, betwixt xvj. and xvij. yards, with the inches as aforesaid, & in bzeadth one yard at the least at the water, and being well scoured, thicked, milled, and fully dyed, shal weigh xxij. pounds the peece at the least. 5. Ed. 6. 6. S. Br. 145.

Welsh lining.

17 Everie Good of Welsh lining shal containe three quarters of a yard in bzeadth in the water, and shal weigh one pound & halfe a quarter. And every yard of Cotton being fully wrought and cottoned, shal weigh one pound at the least, 4. & 5. Ph. & M. 5. S. I. Lac. 25. No person or persons shal incurre any penaltie for want of any content Seale, to containe the length, bzeadth, or weight of any Welsh Cottons. And no Welsh Cottons shal at any time hereafter be searched or tried in the water by any person or persons, other than by the buyer thereof, upon paine to forfeit for every such offence by the party who shal make any such search or trial, contrary to the intent of this Stat. v. l. to the R. and the party grieved, to be recovered by Action, Bill, Plaint, or Information &c. wherein no Coine, Protection, or Wager of law, &c. 3. Lac. 17.

Welsh frizes.

20 All Welsh frizes made within the Shires of Cardigan, Carmarden, & Denbroke, or elsewhere of like making, ready to be sold for a whole peece, shal containe in length at the water thirtie and six yards wet at the most, yard & ynch of the rule, and in bzeadth three quarters of a yard, and being fully wrought, shal weigh every whole peece foztie and eight pounds at the least. And every half peece of Welsh frizes being fully wrought, shal containe in length, bzeadth, and weight, after the same rate. 5. Ed. 6. 6.

Doztherne
Cloth.

21 Everie Doztherne cloth shal containe betweene twentie three and twentie five yards in length, yard and ynch of the rule, and in bzeadth being thzough wet, seven quarters of a yard within the lists, and being well scoured, thicked, milled, and fully dyed, shal weigh lxxj. l. the peece at the least. And every halfe peece called dozens, shal containe in length betwixt xij. and xij. yards, seven quarters of a yard in bzeadth, and being well scoured, &c. shal weigh xxxj. l. at the least. 5. Edw. 6. 6. 43. El. 10.

Penistones.

22 All cloths called Penistones, or Forest Whites, shal containe in length betwixt xij. & xij. yards, yard and ynch, and in bzeadth vij. quarters and a halfe out of the water, at the least, and being well scoured, milled, thicked, & fully dyed, shal weigh xxxvj. l. the peece at the least. 5. Ed. 6. 6. S. Br. 146. 162.

Manchester
Cottons.

23 All cottons called Manchester & Cheshire Cottons, which shal be full wrought to the sale, shal be in length twentie and two Goads, and containe in bzeadth three quarters of a yard in the water, and shal weigh thirtie pounds the peece at the least. 5. Ed. 6. 6.

Manchester
rugs or frizes

24 All Clothes called Manchester Rugges, or Manchester Frizes, which shal be fully wrought to the sale, shal containe in length xxxij. yards, in bzeadth three quarters of a yard coming out of the water, and shal not be stretched on the Tent, or otherwise, above a naile of a yard in bzeadth, and being so fully wrought and well dyed, shal weigh every peece foztie eight pounds at the least. 5. Ed. 6. 6. which cottons, rugges, or frizes, may be divided into two halfe peeces, and shal containe and be after the rate of such bzeadth and weight as is aforesaid. 4. & 5. P. M. 5.

No wollen
cloths shal
exceed their
appointed
length.

25 No wollen broad cloth, halfe cloth, Kersey, cotton, dozen, penistone, frize, rug, or any other wollen cloth, of what nature, kind, or name soever they be, or shal be of, shal (being well scoured, thicked, milled, and fully dyed) exceed the general length

length, or lengthes, which heretofore is limited and appointed, respectively for every such broad woollen cloth, half cloth, kersey &c. and other woollen cloth, of what nature, kind, or name soever they be of, & ought at this time to be of, by the severall Statutes limited and appointed, upon paine of forfeiture of every such broad woollen cloth, halfe cloth &c. and every other woollen cloth, of what nature, name, &c. 43. Eliz. 10. S.Br. 158. 162.

26 Every woollen broad cloth, halfe cloth, kersey, cotton, dozen, peniston, frize, rugge, and every other woollen cloth, of what nature, kind, or name soever they be, shall be of, shall (being well scoured, thicked, milled, and fully tried) weigh respectively the true weight which is heretofore limited & appointed, for every such broad cloth, halfe cloth, kersey &c. and every other woollen cloth, of what nature, kind, or name soever they be, or shall be of, to weigh, and ought at this present to weigh by the severall Statutes theretofore limited and appointed, saving that Taunton clothes, Bridgewater, and such clothes as shall be made in Taunton, Bridgewater, and other places of like sort and making, and limited to weigh 34. l. at the least, shall and may from henceforth (being well scoured, thicked, milled, wrought, and fully dyed) weigh onely xxx. l. any former Statutes &c. notwithstanding. And saving that Suffolke, Dorset, Essex, and Dorsethorne cloth, limited by the severall Statutes of 5. Ed. 6. & 4. & 5. P. & M. or one of them, to weigh the severall weights therein mentioned, shall and may be abated for the workmanship of the whole cloth iij. l. and for the halfe cloth ij. l. in the weight thereof, as the same Dorset, Suffolke, and Essex clothes are allowed by her Highnesse colleration by proclamation. And if it shall happen any of the said broad woollen clothes, halfe clothes, kerseys, cottons, dozens, penistons, frizes, rugges, or any other woollen cloth, of what nature, kind, or name soever they be, or shall be of, made, or to be made to be sold, shall lacke (being well scoured, thicked, milled, wrought and fully dyed) of the weight theretofore respectively limited, & which ought to be of the weight by this present Act, above three pounds in any whole broad woollen cloth, & above one pound & the halfe of one pound in one halfe broad cloth, Taunton cloth, Bridgewater, or other cloth of like sort, & above one pound in one kersey, cotton, dozen, penistone, frize, rugge, or any other woollen cloth respectively, of what nature, kind, or name soever they be, or shall be of: When the offender shall forfeit for one pound wanting more then as aforesaid. x. s. and for two pounds xx. s. and for three pounds xl. s. and so double the forfeit for every pound so wanting, unless the party offending by such wanting, will yeeld the same cloth, halfe cloth, kersey, cotton, dozen, &c. so wanting forfeited, which if he will yeeld, then the same so wanting shall be forfeited: Any former law, statute, &c. notwithstanding. The moiety of all which forfeit shall be to the Searchers and Duerleers that shall and will find the same, and the other halfe to the poore of the parish where the offence shall be committed. 43. El. 10. 1. Jac. 25. To continue untill the end of the first Session of the next Parliament. S.Br. 159. &c. & Br. 162. AL.

The weight of woollen clothes.

S.Br. 16. 17.

S.Br. 9. 10.

The forfeit for want of weight.

27 Every person that shall make or cause to be made, any of the severall kinds of broad clothes above rehearsed, of any shorter or longer measure then is above specified in the Statute made 5. Ed. 6. & 4. & 5. P. & M. and appointed for every Countrey, or severall kind of clothes to be made, or make any such cloth of lesse breadth, being well skoured, thicked, milled, and full dyed, then is above specified and appointed for every severall Countrey or kindes of clothes, and shall put the same to sale, shall forfeit for every such default of every Cloth sold or offered to be sold in length or breadth, fortie shillings. And every person which shall make or cause to be made, any of the severall kinds of kerseys, narrow clothes, straits, dozens, frizes, or cottons above mentioned, which shall not be made in such manner and forme, as is abovesaid, nor containe in length and breadth severally appointed

Forfeit for want of weight or measure.

Draperie.

Blankets.
Azures.
Blewes.

Breadth.

Weight.

Length.

Whites & reds
made in Wilt.
Glouc. So-
merfetshire.

Narrow li-
sted Whites.
Broad li-
sted
Whites.

pointed as is above specified, shall forfeit for every peere of such cloth so made and sold, or offered to be sold, twentie shillings. And if any such Cloth or Bersey shall lacke of such weight, as by the said Statute it is appointed to haue: Then the maker thereof, or other person in whose possession the same shalbe found, shall forfeit for every pound lacking above foure pounds, five shillings: And also for every pound not exceeding foure pounds, two shillings to the King and Informer, to bee recovered by A. J. wherein no Wager etc. Cofine, Protection, etc. 5. Ed. 6. 6. 4. & 5. P. & Ma. 5. S. Br. 129. 158. 159. 160. & c. & Br. 162. AL. If any of the Clothes called broad Blankets, Azures, Blewes, and other coloured cloth made within the Shires of Wiltshire, Gloucester, or Somerset, or elsewhere of like making, shall not containe five quarters and an halfe at the least within the lists, as is aforesaid: Then euerie person offending in that behalfe, shall for every such Cloth bee subiect vnto such paines, penalties, and forfeitures, as were by force of the former Statute of 5. Edw. 6. to haue been forfeited, for want of breadth of seven quarters within the lists. And if any of the said broad Blankets, Azures, Blewes, or other coloured clothes, being well skoured, thicked, milled, and fully dyed, shall containe in weight any lesse then threescore and eight pounds at the least: Then euerie of the said Clothiers therein offending, shall incurre double such penalties and forfeitures, for every pound so wanting of the said weight, and not weighing after such rate, as is before expressed, in and by the said Statute made 5. Ed. 6. is limited and appointed. And if any of the clothes to be made within the County of Somerset, or elsewhere, of like making, called Blankets, Azures, & Blewes, being well skoured, thicked, milled, and fully dyed, shall containe in weight any lesse then threescore and eight pounds at the least, or if any of the said Clothes, shall containe in length any more then twenty and seven yards at the most: Then euery of the same Clothiers therein offending, shall incurre double such penalties and forfeitures for every pound so wanting, as by the said Statute of 5. E. 6. are to such defaults limited and appointed: And for every yard that any such cloth shall containe above twentie & seven yards in length, and not weighing after such rate as is before expressed, The maker of euerie such Cloth shall incurre double the penalties by the stat. of 4. & 5. P. & M. to such defaults limited and appointed. 35. El. 9. S. Br. 25. 26. S. Br. 135. 136. 137. 138. 139. & Br. 162. AL.

28 If any Whites or Reds made in the Counties of Wiltshire, Gloucester, and Somerset, or elsewhere, of like making, or any other Whites that not containe five quarters and an halfe at the least within the lists, as is aforesaid: Then euery person offending in that behalfe, shall for every such cloth be subiect vnto such paines, penalties, and forfeitures, as were by force of the said Statute of 5. E. 6. to haue been forfeited for want of breadth of seven quarters within the lists, viz. he shall forfeit for every such default of every cloth sold, or offered to be sold, xl. s. to the finder thereof. And if any cloth to be made in any of the said counties, or elsewhere, of like making, called narrow listed Whites, being well skoured, thicked, milled, and fully dyed, shall containe in weight any lesse then lxxj. pounds at the least: Or if any cloth to be made in any the said Counties, or elsewhere of like making, called broad listed Whites, being well skoured, thicked, milled, & fully dyed, shall containe in weight any lesse then firtie three pounds at the least: Or if any of the said clothes called narrow listed, or broad listed whites, shall containe in length any more then betwixt 26. & 28. yards at the most: Then euerie of the said clothiers therein offending, shall incurre double such penalties and forfeitures for every pound so wanting of the said severall weights above limited, and for euerie yard so exceeding in length, and not weighing after such rate as is before expressed, as by the foresaid Statute of 4. & 5. Ph. & Ma. 5. is provided and appointed, viz. hee shall forfeit for euerie yard exceeding in length. 10. s. and for every pound lacking above liij. pounds

pound, i. s. and for every pound not exceeding (iii). pound, (iii). s. 27. El. 17. 35. El. 7. S. Br. 137.

27. No Draper, Merchant Taylor, Clothworker, or other person which shall retail any clothes or kerseyes, freezes rugges, or cottons, of the severall makings specified in the Act made 5. Ed. 6. shall put to sale any of the said clothes, wherunto the Aulnager shall have set the k. seale, and the owner his seale, til he have made triall aswell by the water, as by the weight and measure, whether they shall be made according to the purport and true meaning of the said Act, or no. And if any person shall finde any defectiue or faulty cloth, in length, weight, or measure, made contrary to the orders aforesaid: When he shall present every such cloth to every Maior, Bailie, or other head officer, or head officers of every city, borough, or towne corporat, or to the two Justices of peace next adioynning out of a city, borough, or towne corporat, where such cloth shall be found faulty, to the intent the same cloth may be cut in (iii). equall pieces: The one piece thereof to be sozf. to the King, another to the presentor thereof, & the third part residue to such person or persons as it shall then be presented to, upon pain that every such person as shall so search every of the clothes, kerseyes, cottons, or freezes aforesaid, so by him bought and sold, and shall not seize and present such cloth as he shall finde defectiue, shall forfeit the double value of every such cloth. 5. Ed. 6. 6. 25. Ed. 3. 1. S. Just. of Peace 83.

The Draper shall trie the cloth, and present the faulty

30. Every clothier or other person whatsoever, which so shall sell any such faultie, kersey, cotton, or frize, wherunto the Aulnager & the owner shall have set to their seales, and shall be so seized as is aforesaid, shall within (xiiij). daies next after request made by writing, message, or otherwise, by such person which shall so buy such cloth, make payment of such sums of money as he received for the same, or otherwise shall satisfie discharge and acquit him for so much money, as he should have received for the same, upon paine of sozf. to the partie grieved for every nonpayment, or not acquittal, the double value of the money so received &c. to be rec. by A. B. P. &c. where in no W. &c. C. P. &c. 5. Ed. 6. 6. S. 5. Br. 1. 161.

Repayment of money received for faulty cloth.

31. Aswell the Maior of London & Aldermen, or the moze part of them, as every other Maior, Bailie, and head officer of every Citie, borough, or towne corporat within this Realme, shall from time to time appoint two or moze honest, discreet, & expert persons, which shall from time to time upon their oathes view and search all clothes that shall be dyed, died, or pressed with the cold presse, within every such city, borough, towne corporat, port town, & view & search whether y same clothes be well & sufficiently dyed & pressed with the cold presse, without putting thereto flocks, colace, chalke, flower, or any other deceitfull thing, & also whether the same shall be wel dyed with good & perfect colours, without any deceivable thing, or whether it shall be streined any moze then in this Statute is specified, & shall have power to enter into every persons house where they shall thinke meet, to search and seize every such cloth as they shall find defectiue in the premises, in whose hands soever they shall be found, as sozf. to the King & to the Maior & Commynalty of the citie, borough, towne corporat, port town, or market town where the same shall be selled. And every person in whose possession such defectiue or faultie cloth, either by enil dying, dressing, or pressing shall be found & selled, shall have his remedy (by A. J. &c. where in no W. &c. C. P. &c.) against every such person by whose default or negligence such cloth shall be so found faulty, and shall thereby recover all such costes, losses, and damages, as he shall sustaine by occasion thereof. And every Maior, head officer, &c. of any Citie, borough, or towne corporat, in which any clothes shall be made, dyed, dyed, or pressed with the cold presse, which doe not appoint so many Searchers as shall be requist to search and view clothes upon their oathes, shall sozf. for every default y. t. to the k. & J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 5. Ed. 6. 6.

Searchers of Cloth.

Deceitfull things put in Cloth.

Draperie.

**A seale of lead
in every cor-
porat towne.**

32 **Aswel** the Mayor of London, as every other Mayor, Bailiffe, or other head Officer of every citie, borough, towne, or port towne, shall cause to be prepared a Seale of Lead, wherein as well the armes as the name of every such Citie, Borough, Towne, &c. shall be grauen, which the same Searchers shall cause to be fixed to every Cloth that they shall finde well, and sufficiently dyed, dyed, and pressed, with the cold presse without any of the defects aforesaid, and shall haue for their paynes by the owner thereof for the sealing of every cloth y^e. 4. s. Ed. 6. 6.

**How faultie
cloth shalbe
sealed.**

33 **If** any Searchers doe finde any of the Clothes being coloured, or dyed, either cockly, purle, bandie, squaly, or rowy, or euill burled; or washed in the Wyll, or full of holes, or byacks, then they shall besides the seale of the City, borough, or towne Corporat, where the same cloth shall be found, put another seale of Lead, at every end of the said Cloth, wherein shalbe grauen the letter (F) and shall also set a marke in the list, right against such place where any of the faults aforesaid shalbe, with the print of a Letter or marke of an inch compasse at the least, whereby every buyer may well know what and where the fault is. And if any of the aforesaid Searchers doe set the seale of any Citie, Borough, &c. to any cloth which shall haue any of the aforesaid faults, and doe not set at every end of the clothes one seale with the letter (F) Then the Comminaltie of every such Citie, borough, &c. where such Searcher shall be appointed, shall for every such omission b. p. to the King, and to be recovered by A. J. &c. wherein no W. &c. C. p. &c. 5. Ed. 6. 6. 4. & 5. P. & M. 5. S. Br. 5. 3.

**The comminal-
ties for
the searchers
fault.**

**Cloth sealed
in one bor-
rough shal not
be searched in
another.**

34 **The** Seale of every borough or towne corporat, appointed for the sealing of any kind of Cloth, shall be fixed to every such kind of Cloth being wel made within such citie, borough, or towne corporat, which cloth so sealed with the seale of any citie, borough, or towne corporat, shall not be searched, tried, or viewed by any searcher or sealer of any other city, borough, or towne corporat, by vertue of this said of fice. 4. & 5. P. & M. 5.

**Refusing to
be a searcher.**

35 **If** any of the said searchers so appointed by the Mayor, Bailiffe, or other head Officer of any Citie, Borough, or towne corporat, hauing no reasonable excuse, do refuse to be a searcher, and do not vse the office of a searcher, he shall forfeit for every such refusall and not executing of his office b. p. to the King, and the vse of the Comminalty of every Citie, borough, &c. where he shal be assigned, and also shal remaine in ward, till he hath payed the said forfeiture, or otherwise put in sufficient bond for the satisfaction of the same. 5. Ed. 6. 6.

**The search-
ers or sealers
may enter into
every mans
house.**

36 **The** searchers or sealers and every one of them, haue authoritie in the day time, to enter into every house of every person, where he or they shall thinke meet, to search & to try every kind of clothes, kersies, frizes, and rugs, as they shall finde defective, either in length, breadth, or weight, and the same to trie by water and weight, and also to search and seise as forfeit every cloth made of other colours than in this act is appointed. 4. & 5. P. & M. 5.

**Denying of
search.**

37 **If** any person shall deny, withstand, or withhold any clothes, kersies, frizes, or rugges from the said sealers or searchers, or any of them, or will not suffer them to enter into their shops, warehouses, houses, or places, where their Clothes, &c. shalbe, the same to be searched and tried as is aforesaid: When he so denying or withholding, for every such withholding, withholding, or deniall, shall forfeit 1. l. to the King, and to be recovered by A. J. &c. wherein no W. &c. C. p. &c. 4. & 5. P. & M. 5.

**No Cloth
which is sea-
led shal be
searched in a
market.**

38 **It** shall not be lawfull for any of the said searchers or sealers, or any other person, to search any wollen cloth or kersie, whereunto the seale of a citie borough, or towne corporat shalbe fixed, within the cloth market of London, called Blackwell Hall, or in any common Cloth Faire, or cloth market of any other Citie, Borough,

rough, or Towne corporat, in, and during the time of the faire or market. 4. & 5. P. & M. 5.

39 If any person shall by himselfe, or by any other person by him procured, counterfeit, set to, or take away from any cloth, kersey, frize, rugge, or cotton, any seale appointed to be fixed to the same, by either of the Statutes made 5. Edw. 6. & 4. & 5. Ph. & Mar. Then he shall forfeit for the first offence (being thereof duely convicted by verdict of twelve men, or by two sufficient witnesses, or by confession of the partie) x. l. And for the second offence being likewise convicted, shall sit on the pillorie, and forfeit to the An. all such goods, and cattels (his debts being truly payed) as he shall have at the time of his conviction. 5. Edw. 6. 6. 4. & 5. P. & M. 5.

Counterfeiting or taking away a seale.

40 No person which commonly useth to retaille Cloth or Kersey, shall put to sale, in grosse, or by retaille to any person, any manner of Cloth being dyed, died, and pressed, except there be fixed thereunto at every end of the same cloth, the Seale of such citie, borough, or towne corporat, where the same cloth shall be so dyed, dyed, and pressed, or the seuerall seale of every such city, borough, or town corporat, where it shall be dyed, dyed, or pressed, to remaine at the last end of every of the said cloth, which shall be sold, during all the time that any peece of such cloth is to be sold, upon paine of forfeit. the whole value of such cloth to the R. and J. to be recovered by A. J. or wherein no W. or C. P. or C. 5. Ed. 6. 6.

No cloth retayled but which is sealed.

41 Every person dwelling within the Countie of Somerset, which shall put to sale any woollen clothes, commonly called Bridgewater, Taunton, and Chard clothes, or clothes of like making, nature, and sort, made within the said Countie, except such cloth be first viewed, searched, & seene in one of the boroughs of Bridgewater, Taunton, or Chard, and sealed with the seals of one of the said boroughs, or towns, according to the foresaid statute 5. Ed. 6. shall forfeit the cloth sold, or the value thereof to the R. and J. or to be recovered by A. J. or wherein no W. or C. P. or C. 2. & 3. P. & M. 12.

Bridgewater Taunton, Chard, clothes.

42 Every person not dwelling within any Citie, Borough, or towne corporat, and making any of the cloth or kerseys aforesaid, may lawfully bring the same to the next Citie, Borough, or Corporat towne, where any such kind of clothes or kerseys be commonly made, there to be sealed in manner and forme aforesaid. 4. & 5. P. & M. 5.

Clothes brought to a towne corporat to be sealed.

43 If any Searcher, or Sealer, appointed by the foresaid statutes of 5. E. 6. and 4. & 5. P. & M. shall set the seale of any Citie, borough, or Towne corporat, to any Cloth which shall not containe such length, weight, and breadth, as in the said statutes is appointed: Then the Corporation of the Township, where any such cloth, kersey, frize, cotton, or rug shall be so sealed, shall forfeit the whole value of the cloth so sealed. 4. & 5. P. & M. 5. S. Br. 165.

Sealing of Cloth which lacketh length &c.

44 If any of the Searchers aforesaid, shall set the seale of any Citie, Borough, Towne corporat, or Port towne, to any coloured cloth which shall not be sufficiently dyed, dyed, pressed, and wrought, as is aforesaid: Then the Corporation of the township, where such cloth shall be sealed, shall forfeit the whole value of the Cloth so sealed. 1. Ed. 6. 6.

Sealing of cloth not sufficiently dyed &c.

45 In every towne, village, or hamlet being not corporat, where any cloth shall be made, or sold, the Just. of peace of the same shire where any such town, village, or hamlet is, or two of them at the least, shall have full power once every yeare to call upon them, by their precept, or otherwise, y. iij. vj. vij. or more, as they shall thinke good, of the most honest, discreet, and indifferent men of every such towne, &c. and them shall appoint to be Overseers for one whole yere then next following, within the towne, village, or hamlet where the same Overseers shall bee dwelling, charging them upon their Oaths, &c. that they doe endeavour themselves for that

Overseers appointed by the Justices.

Draperie.

yeare, as much as in them shall lie, to see that the statute of 3. Ed. 6. provided for the true making of woollen cloths, be truly observed within the limits of their charge, in every part thereof. 3. Ed. 6. 2.

The authoritie of Overseers.

46 The same overseers, or two of them, shall every quarter of the said yeare at the least, or so often as need shall require by their discretions, visit and goe into every Clothiers, Drapers, Cloth-workers, Diers, or Persons houses, Shops, and other places where cloth or dyed wooll shall be, and there make due search, and view the clothes and wools made or dyed, or remaining to be sold, and to search and trie, whether the said clothes be drawne, or strained, or falsly dyed. 3. Ed. 6. 2.

Refusing to be Overseers.

67 If any of the said persons so commanded to appeare, to be made Overseers, having no reasonable excuse, doe refuse to come and to take upon him to be an overseer: Then every such person shall forfeit for every such refusing xl. s. to the king and to the Justices of peace by whom he was commanded to appeare, or to be an overseer, and shall remaine in the ward of the Shire, untill he hath payed the same forfeit, or otherwise put in sufficient bond for the satisfaction of the same. 3. Ed. 6. 2.

Overseers not making search.

48 If the same Overseers, or two of them at the least, do not once every quarter of the yeare make due search for the true executing of this statute: Then every of the said Overseers shall forfeit for every such default x. l. to the K. and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 3. Ed. 6. 2.

Interrupting Overseers.

49 If the same Overseers shall be interrupted, and not suffered to enter into the said houses, Shops, or other places where any such Clothes, or wools shall be made or dyed, or any other of the said defaults shall be committed, there to make search for the better executing of this statute: Then every one that so shall make any such interruption, shall forfeit xx. l. to the King and to the said Overseers, to whom any such interruption shall be made, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 3. Ed. 6. 2.

Within what time the suit shall be commenced.

50 Provided that no person shall take any advantage of any of the said forfeitures, by reason of this Stat. of 3. Ed. 6. unlesse he doe commence his suit within one pere next after the said offences and forfeitures committed. 3. Ed. 6. 2.

The Clothiers marke.

51 Every Clothier shall weave or cause to be woven his severall token or marke in every Cloth, kerseie, and other clothes whatsoever they be, made to be uttered and sold, and when any Cloth shall be ready made and dressed to be put to sale, every of the same Clothiers shall set his seale of Lead unto every of them: In which seale shall be contained the iust length of every of the same clothes or kersies, as it shall be found by every buyer of the same, upon due proove thereof to be tryed by the water. And in case upon any such proove to be made by any buyer of them at the water, there shall be found lesse content in length then is contained in every of their seales, Then every of the said Clothiers shall forfeit unto every such buyer of the same the double value, of so much cloth as shall want of his said content in length, at the onely sight and iudgement of any two indifferent persons that shall measure the same. And every clothier putting his cloth to sale before it shall be sealed by the Aulneger, and marked in forme aforesaid, shall forfeit his cloth to the K. and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 27. Hen. 8. 12. S. 30. And Quere whether the Clothier shall forfeit the double value, or the Cloth, or both.

Aulnegers seale.

Quere.

No Clothier shall use anothers marke.

52 No person shall use any marke upon his Cloth, such as another doth, and hath used before him, upon paine of forfeit. of every of the said Clothes to the K. and to him that will seize the same. 5. H. 8. 2. 6. H. 8. 8.

Faulty Cloth

53 If any Cloth or Kersie through the default and negligence of the Carders, spinners, or weavers, shall prove either pursie, cockley, bandy, squally, or rowlie, by warpe or woofe, or else shall happen to be euill buried, or washed in the mill, or through default of the mill man, or otherwise, to be full of holes, mil-bzakes, or to be

be holy, When the maker thereof shall fire vnto euery end of the said cloth or kerse, so being defectiue and faultie, and offered to be sold, one seale of Lead, in the which seale shall be ingrauen this word (faulcie) vpon paine of for. of such cloth or kerse, or the value thereof, so offered to be sold, whereunto such seale shall not be set. 4. & 5. P. & M. 5. S. Br. 33.

54 The Wooll which shall be deliuered, for, or by the Clothier to any person, breaking, keimbing, carding, or spinning of the same, shall be by even, iust, and true poise and weight of habertepoys sealed by authority, not exceeving in weight after the rate of xij. pound seimed Wooll aboue one quarter of a pound for the wast of the same Wooll, and in none other maner. And the breaker or keimber shall deliuer againe to the same clothier the same wooll so broken and keimpt, and the carder and spinner shall deliuer againe to the said clothier, yarne of the same wooll by the same even poys and weight (the wast thereof excepted) without any part thereof concealing, or any moze oyle, water, or other thing put therunto deceiuably, vpon paine to forfeit to the Lord of the Leet, within the precinct whereof such default is done, for euery such default xij. s. vpon due pzoofe of such deceit, befoze and by the discretion of the Maior, Bailife, or other head officer of the Citie, Borough, or Towne where the deceit shall appeare, calling to him such persons as shall seeme to him conuenient for the pzoofe of such deceit. 6. H. 8. 9.

55 Every person occuppying the trade of buying and selling of Welsh cloth and Linings, within the Towne of Shrewsburie in the countie of Salop, which doth deliuer the same to be cottoned, frized, dyed, or wrought, to any Sheareman Cottoner, or Frizer, and doth not pay to the same Sheareman or Frizer ready money for all his said worke, without any colour, fraud, or engin whatsoener, and without ware or other thing in satisfaction of his said worke, or any part thereof, shall lose all his liberties and freedoms of the fraternitie of Drapers, and for euer after be excluded and disabled by himselfe, or any other for him to occupie or enioy the trade of buying and selling of Welsh Clothes or Linings. 8. Eliz. 7. 14. Eliz. 12.

56 No person which shall buy to sell againe by way of retails, or otherwise, any Welsh lynyngs, shall dyse or worke, or cause to be dyed or wrought, within his dwelling house, or in any other places, any of the said Welsh lynyngs, but shall put the same to some such person as shall be of the science of Sheareman, Cottoners, or Frizers, to be by them wrought and dyed, vpon paine to forfeit for euery Welsh cotton, or lynyng, frized or cottoned to the contrarie six shillings 8. pence. 4. & 5. P. & M. 5. And if any person dwelling within the towne of Shrewsburie in the countie of Salop, or the Liberties of the same, vsing the trade of buying of frizes, Cottons, or Plaines, doth exercise the facultie of frizing or cottoning, he shall forfeit for euery peece of s. viij. s. to the Du. and J. to be recovered by A. J. &c. wherein no W. &c. C. &c.

56 No person shall put any haire, flocks, or any yarne made of Lambes Wooll into any cloth, kerse, frize, or cotton so made and sold, or offered to be sold, vpon paine to forfeit euery such cloth, kerse, frises, and cotton wherein any such yarne, haire, or flocks shall be put, or the value thereof, to the D. and J. to be recovered by A. J. &c. wherein no W. &c. C. &c. 5. Ed. 6. 6. The foresaid byanch made Anno 5. Ed. 6. which prohibiteth the putting of Haire, Flocks, or yarne made of Lambes Wooll into any cloth or frize, hauing regard vnto the Clothes called Plaine white straits, and Pinned white straits, shall be repealed and made void. And it shall be lawfull to all and euery the Queenes Subiects, inhabiting, or which shall hereafter inhabite within the Counties of Deuon and Corwall, as well in townes Corporat, market townes, or elsewhere, to weaue and make the said clothes called Plaine white straits, and pinned white straites, and to vse and occupie in making of the said clothes, flocks, haire, and yarne made of Lambes wool, and to haue, keepe

The weight of the wool deliuered by the Clothier to the carders & spinners.

Occupiers of Welsh cloth, shall pay the Shearmen ready money.

No retailer of lynyng, frizes, or cottons, shall worke the same.

Haire, flocks, Lambes wooll. S. Br. 155. 156.

Plaine white strights. Pinned white strights.

Draperie.

keepe and vse in his and their houses, thre Loomes and not aboue, for the making of the Clothes aforesaid: and to make the same clothes of such length, weight, and bredth, as the merchant shall like and accept to buy the same for Merchandize, or appoint the same to be made for the vse and most acceptable allowance of the country people where the same shall be transported for merchandizes, for that in truth none of the same are twome or occupied within this Realme: The said Statute made An. 5. Ed. 6. or any other law or statute &c. notwithstanding. Provided alwaies, that in defrauding of the Queenes custome, no peece of the said clothes shall be made aboue twelu pounds in weight, or aboue foureteen yards in length, or one yard in bredth, vpon paine of forfeiture of all such clothes made ouer and aboue the said length, bredth, or weight, or the value thereof to the M. and J. to be recovered in any Court of Record, by W. B. P. or J. wherein no W. &c. P. &c. 27. Eliz. 18. S. Br. 2. 122. 127.

The length,
bredth, and
weight of
plaine & pin-
ned straits.

Straining or
stretching of
Cloth.

58 No person shall straine, or cause to be strained any cloth, aboue one yard in length and one halfe q. in bredth, vpon paine to forfeit for euery such default 6. l. And no person which shall haue or occupy any tentour, shall haue or occupy wench, rope, or ring with the same tentour, or shall vse any other engin vnlawfull to strain, or stretch any cloth, vpon paine that euery offendor, that shall vse or occupie any tentour, or other engin to the contrarie, shall forfeit. xx. l. to the M. and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. 5. Ed. 6. 6. S. 112. 113. 123. 124.

Pressing of
Cloth.

59 No person shall presse any kind of Cloth, with the hot presse, or in any other kind of deceivable maner, but onely with the cold presse, vpon paine of forfeit. of the whole cloth so pressed, or the value thereof to the M. and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. 5. Ed. 6. 6.

Wooling of
Wool.

60 No person shall wolle, or cause to be wooled, any wools to be conuerted into any kind of broad cloth, or kersey, with any kind of galles, rindes, barkes of Trees, or sawdust, vpon paine to forfeit all such Wool, or the value thereof, to the M. and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. 5. Ed. 6. 6.

Lists of cloth.

61 No person shall adde vnto any Cloth, and counterfeit list like vnto the making of Cockfall, Wocking, or Baintrey clothes, commonly called Handiwarps, except the warp therof be spun vpon the distaffe, vpon paine of forfeit. of the same cloth, or the very value thereof: But the Clothmakers within the City of Worcester may make such lists as they haue done heretofore, 4. & 5. P. & M. 5.

Clothes made
in the west-
riding in York-
shire.

62 No person inhabiting within the Westriding in the Countie of York, shall make, or cause to make any broad Clothes, called Petwikes, Tawnyes, Violets, or Greene, except the wool thereof (before it be conuerted into yarne) bee first died, lifted, and coloured, with the colour Blew, of the value of two pence a pound, vpon paine of forfeit. of euery such coloured cloth, whereof the wool shall not be first died, &c. or the value thereof, to the M. and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. 4. & 5. P. & M. 5.

Folding of
wool cloth.

63 Welsh clothes called Whites, Russets, and Kennets, made in Porthwales and Worcester hundred, that shall be brought to any common Markets or Faires, to be offered and sold, shall be folded either in plaits, or cuttell, as the clothes of all other Countries of this Realme are used, to the intent that buyers may perceiue the bredth and goodnesse thereof, vpon paine of forfeit. of euery peece brought to any market or faire to be sold contrarie to the forme aforesaid, to the M. and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. 33. H. 8. 3.

Colours of
Cloth.

64 No person shall put to sale within the Realme of England, any coloured Cloth of any other colour, or colours, then Scarlet, Red, Crimson, Purpree, Violet, Petwike, Brownblew, Blacke, Greene, Yellow, Dychatony, Russel, Parble, Gaze, Sad new colour, Azure, Matched, Sheepes colour, Lyon colour, Potley, Iron Gray, Friers Gray, Crane colour, Purple, and old Medley colour, most

commonly used to be made above and before twenty years last past. 4. & 5. P. & M. 11.

65. No person occupying the seat of dying, shall dye, or alter into colours, or cause to be died, &c. any woollen clothes, as Bownblewes, Pewkes, Talwies, cloths, or Violets, except the same be perfectly boyled, grained, or maddered upon y^e wood, and that with good and sufficient cooke or chaul, after a due, substantiall, and sufficient manner of workmanship, according to the auncient workmanship in time past used, upon paine for euery default to forfeit xx. s.

66. No person shall dye any wool to be converted into cloth, called Kussets, Puffers, Parbles, Graies, Raies, and such like colours, or to be converted and made into Hats or Caps, vntlesse the same wool be perfectly boyled, hoiled, and maddered, according to the true and auncient usage, upon paine of forfeiture for the false dying of euery such cloth, or of as much wool as shall serue for the making of euery cloth contrary to the true meaning hereof xl. s. No person shall dye with Brazil to the intent to make a false colour in cloth, nor wool, hats, nor caps, upon paine for euery default to forfeit xx. s. to the R. and J. to be recovered by A. J. &c. wherein no W. C. D. &c. 3. Ed. 6. 2. S. Iustices of Peace 8. 2.

67. No person shall occupie any Iron Cards, or pickards, in rowing of any set Cloth, or any manner of woollen Cloth, upon paine to forfeit as well the said Iron Cards, and pickards, as also the summe of xx. s. for euery such offence. 3. B. 6. 2. And if any person occupie any Gigmill for the workmanship of any woollen Cloth, hee shall forfeit for euery cloth wrought in or by any of them v. l. to the R. and J. to be recovered by A. J. wherein on W. C. D. &c. 5. Ed. 6. 22.

68. No person shall sell any cloth by any lesse measure, then after the true content thereof, to be meaten and measured by the yard, adding to euery yard one ynch of the rule. 6. H. 8. 9. 3. Ed. 6. 2.

69. No person shall buy any coloured wool, or coloured woollen yarne of any Carder, Spinner, or Weauer, but onely in open Market, upon paine of forfeiture of such wool & yarne so bought, to the R. and J. to be rec. by A. J. &c. wherein no W. C. D. &c. 6. H. 8. 9.

70. No person using the seat of Clothmaking, & dwelling out of a citie, borough, market town, or corporation, shall haue in his possession above one woollen lome at one time, nor shall directly or indirectly take any commodity by letting any lome, or any house wherein any lome shall be occupied, which shall be together by him let, upon paine of forfeit. for euery weeke that any person shall doe contrary xx. s. to the R. and J. to be recovered by A. J. &c. wherein no W. C. D. &c. 2. & 3. P. & M. 11.

71. No woollen Weauer using the seat of weauing, and dwelling out of a citie, borough, Market towne, or towne corporation, shall haue or keepe at one time above two woollen lomes, or receiue any commodity by any other then two lomes at one time, upon paine to forfeit. for euery weeke that any prson shall do to the contrary xx. s. to the R. and J. to be recovered by A. J. &c. wherein no W. C. D. &c. 2. & 3. P. & M. 11.

72. No person which shall occupie only the mysterie of a weauer, & not cloth making, shall (during the time that he shall vse the seat of a weauer) haue any Tucking mill, or shall exercise the seat of a Tucker, Fuller, or Dyer, upon paine to forfeit. for euery weeke that he shall so do, xx. s. to the R. and J. to be recovered by A. J. &c. wherein no W. C. D. &c. 2. & 3. P. & M. 11.

73. No person which shall vse the seat of a Tucker, or Fuller, shall, during the time that he shall so vse the said seat, haue any Lome in his house or possession, or shall directly or indirectly take any profit by the same, upon pain to forfeit for euery weeke xx. s. to the R. and J. to be recovered by A. J. &c. wherein no W. C. D. &c. 2. & 3. P. & M. 11.

Draperie.

Person shall
be a weaver
but which
hath bene
Apprentice.

73 It shall not be lawfull for any person to set by the Myserie of Weaving, vnlesse the same person haue bin Apprentice to the same myserie, or exercised the same by the space of vij. yeares at the least, vpon paine of xx. s. to be forf. to the M. and J. to be recovered by A. J. etc. wherein no W. C. P. etc. 2. & 3. P. & M. 11. And whosoever shall weaue, or make, or put to weauing or making woollen cloth, long or short kerseyes, Pinned whites, or Plaine Straits, vnlesse he hath bin apprentice to the occupation of making, weauing, and rowing of cloth or kersey, or haue bene exercised therein by the space of vij. yeares before, shall forf. such Cloth or the value thereof to the M. & J. to be recovered by A. J. etc. wherein no W. C. P. etc. 2. & 3. P. & M. 5. But this Act of 2. & 3. P. & M. is not prejudicial to any persons dwelling in the Counties of Yorke, Cumberland, Northumberland, and Westmerland, but euery of them shall and may keepe Loomes in their houses, and exercise euery thing concerning Spinning, Weauing, Clothworking, and Clothmaking in the said Counties, as they might haue done lawfully before. 2. & 3. P. & M. 11.

Loomes kept
in the Coun-
ties of Yorke,
Cumberland,
Northumber-
land, & West-
merland,

The weauer
shall put into
the Cloth all
the yarne, or
restore it.

74 The Weauer which shall haue the weauing of any woollen yarne to be web-
bed into Cloth, shal weaue, worke, and put into the webbe for Cloth to be made
thereof, as much and all the same yarne, as the Clothier, or any person for him shall
deliuer to the same weauer, with his bled marke put to the same, without changing
or any part thereof leauing out of the same webbe, or else shall restore to the same
Clothier the surplusage of the Yarne, if any shall be left not put into the same
webbe, and without any moze oyle, bzoome, moisture, sand, dust, or other decrema-
ble thing putting to the same webbe, vpon paine to forf. for euery default li. s.
iij. s. to the M. and J. to be recovered by A. J. etc. wherein no W. C. P. etc. 6
H. 8. 6.

None shal oc-
cupie clothing
but where it
hath bin bled
etc.

75 No person shall vse the Myserie of making, weauing, or rowing of woollen
Clothes, long or short, or kerseyes, Pinned whites, or Plaine Straits, to the intent
to put the same to sale, but onely in a Market towne, where Cloth hath commonly
bin bled to be made by the space of x. yeares last past, viz. (before 20. Ianuarij, Anno
Do. 1557.) or in a City, Borough, or towne corporat, vpon paine of forf. for euery
such woollen cloth, or kersey made, wouen, or rowed out of such Citie, Borough,
or towne corporat, or market towne, v. s. to the M. and J. to be recovered by A.
J. etc. wherein no W. C. P. etc. 4. & 5. P. & M. 5.

Inhabitants
at the time of
the Statute.

76 But it shall be lawfull to any person now, (viz. at the making of this Act) v-
sing the feat of making, weauing, or rowing of Cloth, or kersey, to inhabit where
he now doth, and there to vse the making, weauing, or rowing of Cloth or kersey,
as he hath done heretofore. 4. & 5. P. & M. 5.

Places excep-
ted wherein
Cloth may be
made.

77 And it shalbe lawfull to euery person, which doe, or shall dwell in any of the
Shires of North-wales South-wales, Cheshire, or Lancashire, Westmerland,
Cumberland, Northumberland, Bishopricke of Durham, Coznewall, Suffolke,
Kent, the Towne of Goddelmine in the Countie of Surrey, (or Northshire, being
not within twelue miles of the Citie of Yorke) or in any the Townes and villages
neere adioyning to the water of Stroude in the Countie of Gloucester, where cloth
hath bene vsually made by the space of xx. yeres last past, and hauing bin p-
rentice to the occupation of Clothmaking, or exercised in the same by the space of ten
yeres, to set by, and exercise the feat of making, weauing, or rowing of Cloth, out
of a Citie, Borough, or Market towne, as heretofore they might haue done. 4. & 5.
P. & M. 5.

Gloucester
Shire.

78 No person shall make, or cause to be made within the Shire of Gloucester,
any woollen Clothes to be sold, except onely such persons as shalbe dwelling with-
in the Citie of Gloucester, the Boroughes & townes of Cuelham, Wootrich, Ber-
derminster, and Wormelgrane, within the said Countie of Gloucester, or in any
one of them, vpon paine of forf. for euery broad cloth made by any person contra-
rie

rie to the meaning of this Act, cl. 8. to the King and J. to be recovered by A. J. &c. wherein no W. C. P. &c. But this Act shall not be prejudiciall to any persons for making any clothes for their own, their children or servants wearing. 25. H. 8. 18.

79 It shall be lawfull to every such person which do, or shall dwell in Bocking, Westbarfold, Cockshall, and Dedham, in the Countie of Essex, or in any of them, that doe, or shall exercise the feat of making, weaning or rowing of Cloth or Kersey, by the space of vij. yerres at the least, or have bene Apprentice thereto by the said space, to dwell in any of the said Townes or Villages, and to vse the making, weaning, or rowing of Cloth, or Kersey, as befoze this time they might have done, if the said Act of 4. & 5. P. & M. had neuer bene made: Any Law, &c. notwithstanding. 1. Eliz. 14. And it shall be lawfull to and for all and euery such person or persons, which now doe inhabit or dwell, or that hereafter shal inhabit or dwell in the Townes or Villages of Wrotham & Langham in the Countie of Essex, now vsing or exercising, or that hereafter shall vse or exercise the feat or mystery of making, weaning or rowing of Cloth or Kersey, by the space of seven yeaeres at the least, or have bene, or shall be hereafter Apprentice thereunto by the space of seven yeaeres, to inhabit or dwell in the said Townes or Villages of Wrotham and Langham, and there to vse the making, weaning, or rowing of Cloth or Kersey, as befoze the making of the said statute of 4. & 5. P. & M. they might have done, and as if the said Act had neuer bene had or made: Any thing in the said Act, or any other Act &c. notwithstanding. 27. Eliz. 23.

Bocking,
Westbarfold,
Cockshall,
Dedham.

Wrotham and
Langham in
Essex.

80 An. 18. Eliz. 15. The foresaid Branch of the said Statute made 4. & 5. P. & M. as touching onely the vse of the mystery of making, weaning, or rowing of wollen clothes, to the intent to put the same to sale, but onely in a Market towne, Citie, &c. and all penalties &c. by reason of the said branch, as against any persons exercising the said mystery, &c. within the Counties of Somerset Wiltshire, and Gloucester, or any of them, be repealed and made void. But every person being by this statute allowed to exercise the said mystery &c. not being by the former Statute (made 4. & 5. P. & M. 5.) allowed thereunto, shall be subiect vnto such search, for, and other orders, as other persons dwelling out of Boroughes and Townes corporate allowed of by the said former Act, or any other statutes, were subiect vnto befoze the making of this Act. 18. Eliz. 15.

Somerset,
Wiltshire,
Gloucester.

81 No person dwelling or abiding within any of the said Counties of Somerset, Wiltshire, or Gloucester, shall vse the said mystery of making, weaning, or rowing of any wollen Cloth out of any Citie, Borough, Towne corporate, or market towne, except onely within such houses & places in the said Counties, as such wooled Clothes have bene most commonly vsed to be made, wouen, or rowed, by the space of ten yerres next befoze the making of this Act (being 8. Februarij, Anno 1575.) vpon paine of forfeiture for euery such Cloth made, wouen, rowed, &c. v. l. to the R. and J. 18. Eliz. 15.

Inhabitants
at the time of
the Statute.

82 Such person as shall vse the trade of Cloth making in any of the houses and places, where wollen Clothes have bene most commonly vsed to be made, wouen, or rowed, by the space of 11. yeaeres next befoze the making of this Act (being 8. Februarij, Anno 1575.) within any of the Counties of Somerset, Wiltshire, & Gloucester, out of a Citie, Borough Towne corporate, or Market Towne, which now doth not vse the said trade, shall not keepe in his occupation or manurance above 11. acres of Land, meadow, and pasture, at the most. And euery person now vsing the said trade, out of a Citie, Borough, Towne corporate, or Market towne, within any of the said Counties, shall not take into his occupation or manurance any Land, meadow, or pasture, but that which he now hath, or as much onely in lieu thereof, vpon paine of forfeiture for euery acre of land, meadow, & pasture, by such person occupied or manured, contrarie to the tenor of this Act, for euery yeare that he

How much
land a Clothier
may keepe
in his occupation.

This word
(now) is to
be construed
at the time of
the Stat. made.

Draperie,

he shall so occupie the same, and so ble the trade of cloth making, *vi. s. viij. d. to the* An. and J. 18. Eliz. 15.

The rents of
clothiers hou-
ses in worces-
ter shire.

83 The Lords and owners of the meases, tenements, or cottages, within the Citie of Worcester, or any of the Boroughes or townes of Cuesham, Droitwich, Bedderminster, and Bromesgrone, shall at no time let any mease, tenement, or cottage, sufficiently repaired within the said Citie, Boroughes, or Townes, to any person that shall inhabit in the said Citie, Boroughes, &c. and exercising the mystrye of Clothing, at any higher rent, imposition, or charge, then was given for the same at any time within xx. yeares next befoze the making of this Act (being 25. die Januarij, Anno Dom. 1533.) 23. H. 8. 18.

Aulneger
swozne.

84 The Aulneger shall be swozne to do his office wel & lawfully, & in case hee thereof be found in default, and attainted befoze the Gouernours of Faires, & Aulneger, or Baplis of the places where the Clothes be bought, or befoze any other whom the king shal assigne, he shall be one yeare imprisoned, ransomed at the A. pleasure, and put out of his office for ever: and he that will sue, shall haue the one halfe. And the Aulneger shall answer aswell for his Deputies, as for himselfe. 25. Ed. 3. 1.

The Aulne-
ger shall be ex-
pert, & worthy
a C. l.

85 The Tresorer of England, or his Deputy, shall appoint no person to be Aulneger, Sealer or keeper of the Seale, appointed for the sealing of Clothes in any part of this Realme, but such as be expert in the making of Cloth, and worthy a C. l. at the time of the said Deputation. 1. R. 3. 8.

Aulnage let
to ferme.

86 The Tresorer of England for the time being, hath authority to let to ferme the Subsidies and Aulnage of Clothes, which ought to be sealed (vnto persons which be no strangers bozne. 1. R. 3. 1.) willing to haue the same to ferme by sufficient suretie, and the fermours shall haue the one halfe of all the for. of all the Clothes and peeces of the clothes set to sale not sealed with the said Seales to their own ble, paying therefoze, and for the said Subsidie and Aulnage, to the king at his Erchequer, such yerely summe of money, as shall be agreed betwixt the Tresorer and them, and to be accomptants to the King of the other halfe of the said forseiture at the said Erchequer. 17. E. 4. 5.

No cloth shall
be sold befoze
the aulnegeres
fee be payed.

87 If any Clothier do put any cloth or kersey to sale, befoze he shall haue payed to the Aulneger, or his deputy, the accustomed fee, or agree for the same as he hath been accustomed, he shall for. for every default xx. s. to the A. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 5. Edw. 6. 6. And if any person making any whole coloured cloth, Dozens, or clothes of Ray, do sold or sack the same together, befoze the Aulnager hath duely searched or surueyed the same, that they hold their length and bredth, ordained in the Statutes therefoze prouided, hee shall forfeit the same. And the Aulneger which putteth the seale thereunto ordained, to cloth which is not of Aulse, shal forfeit at the first default x. l. at the second xx. l. and at the third his bodie shal be arrested, and his goods at the A. pleasure. 11. H. 4. 6. But the Merchants which doe buy the same Cloth to carrie out of the Realme, may sold them together, for the moze easie carriage of them. 13. R. 2. 11.

Aulneger sea-
ling cloth wā-
ting Aulse.

Cloth shall be
sealed where
it is made.

88 No Aulneger, Sealer, or keeper of the Seale, appointed for the sealing of Cloth, shall seale any whole clothes, halfe clothes, streits or kersies, but such as shal be onely made within the Countie, Citie, Borough, or Towne, where he shal be deputed Aulneger, Sealer, or keeper, vpon paine to for. to the king for every such whole cloth contrarie sealed, *ij. l. vi. s. viij. d.* for every halfe cloth *xxx. s. iij. d.* for every strait *xx. s.* and for every kersey *x. s.* 1. R. 3. 8.

No cloth sold
befoze the Aul-
neger & owner
hath set their
seale & marke.

89 Every Clothier putting any Clothes to sale, befoze they shal be sealed by the Aulneger of the said Countie, where any of them be made, or befoze the said Clothier hath wouen his seuerall Marke in the said Clothes, and hath set his seale of lead containing the length of the same Clothes, shall forfeit his Clothes to the A. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. And if the Aulneger of any

any countie doe seale any of the said clothes with the R. Seale, untill such time as they be ordered and sealed with their contents, in forme aforesaid, he shall lose his office. 27. H. 8. 12. But all cloth made to be sold within the Cite of Worcester, the Townes of Droitwich, Evesham, Reddymister, and Worcester, in the countie of Worcester, shall be sealed with the seale of the Searchers there, and the owners shall not be compelled to put their owne seales to any clothes there made. And the Searchers shall have for the searching and sealing of every cloth, a pence, and not a more. 25. H. 8. 18. 27. H. 8. 12.

90 If any Aulnager, or Collector of the Subsidie of Clothes, doe set his seale to any Cloth, having the peeces tacked and set together with threds, the same Cloth shall be forf. to the King in whose handssoever it be found. And also the Aulnager or Collector found guilty, shall forfeit his office. 7. R. 2. 2.

No sealing of tacked cloth.

91 Though cloth, through the default of the Carvers, Spinners, or Weavers, doe prone either purse, bandis, or squall, by warp, or wofe, or else happen to be evil burlid, or waiked in the mill, or through the negligence of the Millman, or other wise, to be full of holes, millbakes, or holes, yet the Aulnager shall set his seale to such cloth: But the accustomed fees and allowances shall be notwithstanding payed to the Aulnager, upon paine of forfeiture of such whole cloth, or the value thereof. 5. Ed. 6. 4. & 5. P. & M. 5.

Faultie cloth sealed.

92 The Aulnager shall take for every cloth that is measured, which is of assise, of the seller, ob. and of the halfe cloth q. for his office, and no more; And he shall take nothing for clothes which be less then a halfe cloth, nor shall meddle with the measuring of any cloth, but onely with the clothes which are to be sold: And such clothes the which shall be put to sale, before they be sealed with the said seale, shall be forf. to the R. &c. and seized into his hands by the Aulnager, or his deputie, or other wise by the Bailife of the Towne where such clothes not sealed shall be found. 2. Ed. 7. 4.

The Tynne-ger shall take.

93 If the Aulnager, or keeper of the Seale, doe refuse to shew his Commission of his Office, to any person desiring the same, upon the sealing or measuring of any broad clothes, straits, or kerries, and that examined and duly proved, he shall forf. 10. s. 4. Ed. 4. 1.

The Tynnager shall shew his Commission.

94 The Aulnager in Wales by himselfe, or his sufficient deputie or deputies, shall in all things to his office appertaining, do and answer in every case, according to every other Aulnager, in the Realme of England, ought to doe. And for the contrarye exercising of the said office, shall in every case suffer, as by the Laws and statutes is ordained for Aulnagers under the R. Treasurer of England. 34. H. 8.

Aulnager in Wales.

95 No person shall sell, or put to sale within the countie of Lancaster, or carrie, or cause to be carried out of the said countie, any kind of Clothes, Cotton, Frizes, or Rugs, made within the said countie to be sold, before the owner or maker of every such cloth, &c. shall put to the same one seale of Lead, having the marke of every such owner, or Clothier, ingraued on the one side thereof, and the true length of every such Cloth, Frize, Cotton, or Rug, as it is found being wet, to be ingraued on the other side of the said seale. And also the M. Aulnager of the said countie Palantine for the time being, upon trial of the weight of every such Cotton, Frize, and Rug, shall fix, or cause to be fixed to every such Cotton, &c. the M. seale of Lead, having the portcullis erownes, ingraued on the one side thereof, and the true weight of every such cotton, Frize, or Rug, to be ingraued on the other side of the said seale, upon paine of forf. of all and every such Clothes, Cottons, Frizes, and Rugs, carried, carried, sent, sold, and put to sale, or to the intent to be sold, being unsealed, contrary to the meaning of this Act, to the M. and to such persons as shall seize, or will sue for the same Cloth, &c. to be recovered by A. &c. wherein no W. C. P. &c. But this Act shall not be prejudiciall unto any Charter or Libertie of any Borough, or Corporat Towne within the said countie Palantine of Lancaster, concerning the

The owners marke set to clothes in Lancashire.

The Aulnagers Seale.

Draperie.

making and putting to sale of any wollen cloth. 8. Eliz. 12.

The Aulnagers deputies.

96 The said Aulnager shall haue his lawfull Deputie within euery of the seuerall Townes of Manchester, Rochdale, Bolton, Blackbozne, Werie, in the same Countie where the said Aulnager hath been accustomed to haue his deputie heretofore, there to be readie vpon lawfull request vnto him made, without delay to weigh euery of the said Cottons, Frizes, and Kugs, as shall be brought vnto him, & sealed with the seale of the owner or maker thereof, & to set to euery of them the A. Seale ingraued, in maner and forme aforesaid, vpon paine of forfeiture of xx. s. for euery packe of Cottons, Frizes, or Kugs, sealed by the said Aulnager, or any of his said Deputies, befoze the same be weighed in forme aforesaid, to the A. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. And it shalbe lawfull for the said Aulnager, or his Deputie, to take of the owner or maker of euery of the said Clothes, Cottons, Frizes, or Kugs, for the weighing & sealing of euery packe of them, iiij. l. and for euery peece of such course Clothes, Cottons, Frizes, and Kugs, not amounting to a whole pack, ob. and the same to be paid by the owner or bringer of the said Clothes, at the weighing and sealing of the same. 8. Eliz. 12.

The Aulnagers fees in Lancashire.

Transporting of cloth.

97 No person, English, Denizen, or Stranger, shall transport, or cause to be transported into any of the parts beyond the Sea, any Cloth, Kerlie, Frize, or Cotton, of the seuerall sorts befoze recited in the Statute of (5. Ed. 6.) vnlesse the Kings Seale, or Aulnagers Seale of this Realme, and the seale of the owner or maker of the cloth (declaring therein the length of the cloth as it shalbe in the water) be set vpon euery such cloth, vpon paine to forfeit euery such cloth lacking the same seale, or any of them, or the value thereof, to the A. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 6.

Of what value cloth carried over, may be.

98 No Stranger, or Denizen, shal carry, or cause to be carried out of this realme, any wollen clothes, befoze they be barbed, rowed, & shorne, within the same Realme, vpon paine of forfeiture of the value thereof, to the A. and J. But Clothes called Wessens, Rapes, Sailing clothes, & other clothes commonly sold at xl. s. and vnder, be not comprised in this Act. 7. Ed. 4. 3. 3. H. 7. 11. But euery white wollen cloth sold for iiij. l. and vnder, & euery coloured cloth sold for iiij. l. and vnder, may be carried beyond the sea, there to be sold, at the pleasure of the buyers of the said cloth, vnbarbed, vnshorne, and vnrowed: Any Act &c. notwithstanding. 27. H. 8. 13. But no person shall carie, or ship, or cause to be shipped, any white wollen cloth, above the value of iiij. l. or any coloured cloth above the value of iiij. l. vnrowed, vnbarbed, or vnshorne, to the intent to be conueyed into the parts beyond the Sea, vpon paine of forfeit. of the same cloth, or the value thereof, to the A. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 33. H. 8. 19.

Transporting of wollen yarne or cloth not fulled.

99 No person shall carie, or cause to be carried beyond the Sea, any Wollen Yarne or cloth not fulled, but the wollen yarne which shalbe wouen in this Realme, and also all cloth therein made, shalbe fulled, and fully wrought within this Realme, befoze it be carried out of this Realme, vpon paine of forfeit. of the verie value of all such yarne vnwouen, and cloth not fulled, carried out of this Realme, to the A. and J. &c. 7. Ed. 4. 3.

Transporting of cloth not watered. No clothes wrought beyond the sea shalbe brought into England. Clothes transported by licence.

100 No person, Stranger nor other, shall conuey any wollen cloth ouer the sea, vnlesse the same cloth be fully watered, vpon paine of xl. s. 1. R. 3. 8.

101 No person shall bring, or cause to be brought into the Realme of England, Irel. or Wales, any clothes made in any other place than within the said realmes (Clothes taken by any of the A. liege people vpon the Sea, without fraud, onely except) vpon paine of forfeiture of the said Clothes, and farther to be punished at the A. pleasure. 11. Ed. 3. 3. 4. Ed. 4. 1.

102 If or euerie nine clothes vnwrought to be shipped, or carried into any the parts beyond the Seas, contrarie to the forme of any Statute in force, by force of any

any Licence, the partie that shall ship or carrie the same, shall ship & carrie ouer also one like wollen cloth of like sozt, length, breadth, & goodnesse, readie wrought and dyessed, viz rowed, barbed, first coursed, & shorne, from the one end to the other, so that every tenth cloth passing ouer the seas, in forme aforesaid, shal be dyessed within this Realme, befoze the same shall be shipped or transported ouer, vpon paine to for. for every such ix. clothes so to be shipped or transported, contrarie to the meaning of this Act. v. l. to the Du. and the Master and Wardens of the Companie of Clothworkers, to the reliefe of the pooze of the said Companie, to be recovered by A. J. &c. wherein no W. C. P. &c. But euerie such tenth cloth so to be transported readie wrought, shall not be accompted any of the clothes permitted to be transported by force of such Licence: but such person as shall haue such Licence may transport according to such Licence, the full number of clothes unwrought, mentioned in the same Licence, ouer and aboue the number of such tenth clothes, which they shall be compelled to ship and carrie ouer by force of this Stat. 8. Eliz. 6.

103 No person shal ship, or cary beyond the Seas, contrarie to the forme of any Stat. heretofore made, now remaining in force, any cloth commonly called Bentiſh cloth, or Suffolke cloth, made in the Counties of Kent or Suffolke, unwrought and undyessed within this Realme, that is to say, not rowed, barbed, first coursed, and shorne, vpon paine to for. for every such cloth so to be shipped or transported, xl. s. to the D. & the Master & Wardens of the Company of Clothworkers, to the reliefe of the pooze of the said Company, to be recovered by A. J. &c. wherein no W. C. P. And no licence for transporting of any cloth, shal be expoyded to extend to any such Bentiſh or Suffolke cloth, made in either of the said Counties to be transported. 8. Eliz. 6.

Bentiſh and Suffolke cloth shall not be transported unwrought, by any licence

104 Each Kerſie called Deuonſhire Kerſie, or Dozen, which shalbe made and wouen within the Countie of Deuon, or any other County next adioynning thereunto, being raw, unſcoured, untucked, & unſet, as it commeth from the Weauers beame, & being made of clean & perfect ſuffe, viz of wool shorn, cleaned, & thoroughly washed, or ſcoured, after the shearing, & befoze the weaving, without any fraud, deceit, policie, or deuice, or any ſuffe thereunto deceitfully or vnlawfully added in the working, or after the working thereof, for increase of the weight, shall weigh in the Market 15. l. or vpwads. 35. El. 10. S. Br. 14. 15. 144.

Deuonſhire Kerſies raw.

105 Every raw Deuonſhire Kerſie or Dozen, wouen & made in the said County of Deuon, or any of the other Counties adioynning, being a rudge wash Kerſie, viz. being made of ſleece wool washed only on the ſheeps back, & the wool not being cleaned, washed, & ſcoured, after it is shorn, & befoze it is wouen, shal without any fraud or weight in the market 17 l. at the least, being raw as it commeth off the Weauers beame, & each & euery of the same Deuonſhire Kerſies or Dozens, so being raw, & as it commeth forth of the Weauers loome (without racking, ſtretching, & raining, or other deuice, to increase the length thereof) shal containe in length between 16. & 17. yds by the measure of yard & ynch by the rule, without which obseruation of weight, being raw, they cannot fall out (after they be wel ſcoured, thicked, & fully dried) to containe the length & weight expreſſed & limited in the Stat. of 4. & 5. P. & M. viz. 12. yds in length, & 12. l. in weight. 15. El. 10. S. Br. 14. 15.

Rudge wash Kerſie:

weight.

106 If any Weauer shal worke or make any of the said kinds of Kerſies, of lesse weight or measure than is befoze mentioned after their kind, euery such offender shall forfeit for euery quarter of a pound in weight, which any of the said raw Kerſies or Dozens which shal be brought to any Market, or sold, or suffered to be sold, shall want of their weight aforesaid, 10. s. And for euery quarter of a yard which shall be wanting in length of either sozt of the said Kerſies, likewise being sold, or offered to be sold, 10. s. And each sozt of the said Kerſies or Dozens shall be ſeuantly wouen throughout of well & like sozted yarne: And no Weauer shall vse any diuerſitie in the bignesse or goodnesse of his yarne in any part of the said Kerſies, ſauing

The weauers penaltie.

The Dozens shalbe ſeuantly wrought throughout.

Draperie.

uing onely in the listts, nor vse any other practise in the edging or weauing of any the same Kersties or Dozens, to make the same some finer neere the edge or listts than in other parts of the same cloth. 35. Eliz. 10.

Weavers
shop marke.

Purrell at
each end.

Dozens shall
be viewed,
weighed, and
marked.

Searchers.

The Searchers
authoritie.

Searchers
not appointed
or not atten-
dant.

107 Each Weauer shall weaue his shop marke of some coloured yarne in the end of euery Kerstie which he shall weaue or make, and shall also at each end of euery of the same Kersties weaue one purrell likewise of coloured yarne, of the breadth of the quarters of an ynch at the least, whereby the deceitfull cutting and diminishing of such clothes by Tuckers, or Fullers, heretofore vsed, may henceforth be prevented. And if any Weauer shall vse any deceit, in mingling his yarne, or shall omit his shop marke, or shall not weaue in euery Kerstie two purrels, according to the tenor of this Act, he shall forfeit and lose for euery offence to the contrarie, x. s. 35. Eliz. 10.

108 No Weauer, nor any other person whatsoeuer, shall offer, or put to sale any of the same raw Kersties, called Dozens, before the same haue been viewed, weighed, and marked, in some Citie, Towne corporat, or Market towne, and allowed by such officer, & marked with such markes as shall be there in such Citie or Towne, vsed & appointed for that purpose, vpon pain to forfeit & lose for euery cloth sold, or offered to be sold to the contrarie, x. s. to the M. and the principall Officer or Magistrate of the Citie, Towne corporat, or Market towne, next adioyning to the dwelling or working place of such Weauers as shall offend in any of the premises, if he the same Officer or Magistrate shall first make seizure thereof, or else to the principall Officer of that Citie, Towne corporat, or Market towne, where the same shall be sold, or offered to be sold: To be recovered by Action of debt, W. P. or A. with costs, in any Court of Record, wherein no W. C. P. or A. 35. Eliz. 10.

109 The principall Officer or Magistrate for the time being, in euery Citie, Towne corporat, or Market town, of the said County, or of any other of the Counties adioyning, where any such Kersties, called Duanthire Kersties, or Dozens, now are, or hereafter shall be woven, made, offered or put to sale, shall euery yere from henceforth appoint and haue in readinesse at all times needful, two or more discreet persons, which shall be speciall and knowne Officers and Searchers, which shall attend, and shall be at his or their entrie into his or their said office twozn during his and their continuance in the said office, truly to view, weigh, and marke each Kerstie, called a Dozen, in such Citie or town, or any of them, made, sold, or offered to be sold, or put to sale, and to present each offence of defect, which shall there fall out, contrarie to the true meaning of this Statute: Every which Searcher or Officer so to be hereafter appointed for this purpose in any such City, Towne corporat, or Market towne, shall haue authoritie to enter in the day time, into all shops, warehouses, worke-houses, and other places convenient of the same Citie or Towne, where he or they shall be so appointed, there to view, search, & see whether any Kerstie or Dozen be made, sold, or offered to be sold, contrary to the true meaning of this Act, and also to see what paines, penalties, & forfeitures shall be growne due to her Majesty by any weauer, seller, or buyer, within the liberties & precincts of the same towne, taking onely of & for the weighing & marking of euery Kerstie, a farthing for his paine, and so according to the number, and no more, which farthing vpon euery Kerstie is to be paid by the seller of the same Kerstie. 35. Eliz. 10.

120 If such Searchers and Officers shall not be yearely appointed and attendant at all times reasonable & convenient, or shall neglect his or their duties in the true search, weighing, and marking of the said Kersties, or any of them, or shall marke any one Kerstie which wants of his weight, as is aforesaid: then and in euery such case the chiefe Magistrate of euery such Citie and Towne, shall forfeit and lose for euery offence of their Searcher or Searchers, twentie shillings, and for euery Market day they shall want two or one at the least of such Searchers the

the summe of xl. s. to be leuied as hereafter is expressed. 35. Eliz. 10.

111 No manner of person or persons whatsoever, shall buy any such raw kerseie called Deuonshire kersie or Dozen, in any Market, or elsewhere, vnlesse the same shall be first tried, weighed, & marked, by the Officers of some Citie, Towne or port, or Market Towne, as is aforesaid. And no Weaver, Tucke, Fuller, or other whatsoever, shall dresse, or cause to be dressed any of the said raw clothes called Deuonshire kersies or Dozens, vnlesse the same be first tried, weighed, & marked in some one Market Towne by the searcher or searchers there in that behalfe appointed, vpon paine of forfeiture of euery such kersie so bought, dressed, or put to dressing, which shall not before be tried & marked, as is aforesaid mentioned. No Clothier, Tucke, Fuller, or other person whatsoever, shall at any time from henceforth cut or diminish the length of any kersie, called a Deuonshire kersie, or Dozen, and after offer to put the same to sale, as a whole kersie, or Dozen, vpon paine of xij. s. for euery of the same kersies or Dozens so cut or diminished, to the Q. and J. to be recovered by A. B. P. or J. with costs, wherein no W. C. or C. ec. 35. Eliz. 10. 1. lac. 25. This Act to endure vntill the end of the first Session of the next Parliament.

No Doze shall be bought or dresed, betoze it be tried.

Diminishing the length of a Dozen.

The forfeiture.

112 No person or persons within the counties of Yorke, Lancaster, or any other the counties on the Northside of Trent, shall stretch, or straine, or cause to be stretched or strained, any Clothes, Dozens, kersies, Penistones, Rugs, Frizes, Highley whites, plaine Grapes, or any other Clothes, by what name or names soeuer they be called, made or hereafter to be made within the said counties of Yorke, Lancaster, or any other the counties on the North of Trent, vpon paine to forfeit for euery default b. l. 39. Eliz. 20. S. Br. 58. 124. 127.

Stretching or straining of Northerne Cloth.

113 No person or persons within the counties aforesaid, or any of them, shall haue, vse, or occupie any tenter, of what sort or kind soeuer, or any manner of wyench, rope, or other engines, to stretch or straine any Cloths, kersies, Dozens, Penistons, Rugs, Frizes, Cottons, Highley whites, plaine Grapes, or any other cloth of what kind or name soeuer it or they be called, made, wrought, or to be made or wrought within the said counties, vpon paine that euery offender that shall haue or vse, or exercise any such tenter, of what sort or kind soeuer, or any manner of rope, wyench, ring, head, or engine, shall forfeit for euery such default twenty pounds. 39. Eliz. 20. S. Br. 58. 123. 124. 127.

No tenter, rope, or wyench to straine Northerne cloth.

114 Euery person or persons within the counties aforesaid, or any of them, which shall make, or cause to be made, any Clothes, kersies, Dozens, Cottons, Penistons, plaine Grapes, Highley whites, Frizes, or any other cloth, by what name or names soeuer it or they be called, shall make the same of such weights, lengths, & breadths, as by the Statutes of this Realme already in force is provided, vnder the paines in the same Statutes contained, and before the same be sold, or offered to be sold, shall set his Seale of Leade vnto euery of the same Clothes, kersies, Dozens, Cotton, plaine Graies, Penistones, Highley whites, Frizes, or by what name or names soeuer it or they be called: In which said Seale of Leade shall be contained, the true and iust Length, and the true and iust Weight at the least, of euery such cloth, kersie, Dozen, Cotton, Penistone, plaine Grapes, Highley whites, Frizes, &c. as it shall be duely found by due proofe thereof to be tryed by Water or Weight, vpon paine to forfeit euery Cloth, kersie, Dozen, Cotton, Peniston, plaine Grapes, Highley whites, Frizes, or other Cloth, &c. which shall be made within any the Counties aforesaid, whereunto such Seale as is aforesaid shall not be put and set. And in case vpon proofe to be made by water or weight any such Clothes, kersies, Dozens, Cottons, Penistones, plaine Grapes, Highley whites, Frizes, or any other Cloth, as is aforesaid, shall be found of lesse weight, or of smaller content in length than is contained or specified in any of the said Seales, the owner of euery

A seale of leade containing the length and weight

Draperie.

The forfei-
ture.

such Clothes, Kerfies, Dozens, Cottons, Penifstones, plaine Grayes, Higheley whites, and Frizes, or any other Cloth, &c. or any other person or persons, in whose hands or possessions any such Clothes, Kerfies, Dozens, Cottons, Penifstones, plaine Grayes, Higheley whites, Frizes, or any other Cloth, shall be found, shall forfeit for every yard wanting in length tiiij. s. and for every pound wanting in weight y. s. 39. Eliz. 20.

Duersers appointed by the
Justices and
head officers.

115 And for the better and moze speedy and effectuall refozming of all such abuses, as is aforesaid, in every Parish, Towne, Willage, and Hamlet, within y^e countiees aforesaid, where any Clothes, Kerfies, Dozens, Cottons, Penifstones, plaine Grayes, Higheley whites, Frizes, or any other cloth, by what name or names soever they be called, shall be made or sold, the Justices of peace of the same Shire, or Riding, or two of them at the least, and in every Citie, Borough, or Towne corporate, the head Officer or Officers of every the same Citie, Borough, or Towne corporate, together with some one or two of the Justices of the Peace of the Shire or Riding next adjoining to such Citie, Borough, or Towne corporate, shall have full power and authoritie, and shall by vertue of this Act, once every yeare at the least, and as often as they shall thinke good, to conuent, and call befoze them by their p^{re}cept, or other wise, two, foure, six, or eight, or moze, as they shall thinke good by their discreti- on, of the most honest, discret, and able men of every such Citie, Towne, Willage, Hamlet, or Parish, where any Cloth shall be made or sold, and them shall constitute, ordaine, and appoint to be Duersers for one whole yere, or six monethes, or shorter time at their discretions, then next following, within the Citie Borough, Towne, Willage, Hamlet, or Parish, where the same Duersers shall be dwelling, and shall and may take them s^{wo}rne, and bound in Recognizance of xl. l. a p^{er}ce, to the bis of the M. and her successors, to doe their best endeavour by all lawfull wayes & means for their time, to see that this Statute in all points shall be truely observed and kept within the limits of their charge in every part thereof: And the same Duersers, or two of them, shall once every moneth at the least, or so often as need shall require, or they shall thinke fit by their discretions by force therof, visit and goe into all or any house or houses, shops, or other roomes of any Clothiers, Drapers, Clothworkers, or of any other person or persons whatsoever, where any of the said cloth shall be, and there to make due search, and view the same made, or remaining to be sold, and to take, search, and trie, as well by weight, water, or any other way whatsoever, the said Clothes, Kerfies, Dozens, Cottons, Penifstones, Higheley whites, and Frizes, or any other Clothes, &c. And if any Clothes aforesaid, vpon search thereof, shall not be found to be sealed with a seale, containing the length and weight, as aforesaid, then the Clothier and every Owner of the said Cloth, shall forfeit every such Cloth, Kerfies, Dozens, Cottons, Penifstones, Higheley whites, and Frizes, or any other Cloth, &c. made within the countiees aforesaid, not so sealed and sold, or offered to be sold. And the said Duersers and every of them, shall and may seize and carrie away the same so forfeit, as aforesaid, and present the same to the Just. of peace at the next quarter Sessions, to be by them disposed of, as hereafter is in these presents limited and appointed. And if the said Duersers shall find any false seale or marke to be set vpon any Cloth aforesaid, or shall vpon search, as aforesaid, find the same Clothes aforesaid to be stretched or strained, then the same Duersers shall present the same defaults vnto the Justices at the next M. Sessions, and the names of the owners or possessors of such Clothes, Kerfies, Dozens, Cottons, Penifstones, Higheley whites, and Frizes, or any other Clothes, &c. so found defective. And if any manner of person or persons shall denie, withstand, or withhold any Clothes, Kerfies, Dozens, Cottons, Penifstones, Higheley whites, and Frizes, or any other Cloth, &c. from the said Duersers, or any of them, or will not suffer them to enter into any of the houses, shops, roomes, or other places, where any such Clothes shall be, then every

The Duersers may
make search.

The Duersers may seize
and carrie away the faultie
cloth.

The Duersers present-
ing the fault
at the Quar-
ter Sessions.
Withholding
of faultie cloth
or denying of
search of the
cloth,

every such person or persons so denying, or withstanding shall for the first offence forfeit and lose r. l. and for the second offence xx. l. and for the third offence, being thereof lawfully convicted by verdict of ry. men, and two sufficient witnesses, shall stand upon the Pillorie in the next Market towne: And if any of the said persons so commanded to appeare, to be made Duerseers, as aforesaid, and having no reasonable excuse, refuse to come, and take upon him or them to be Duerseers, as aforesaid, the every such person so refusing, and having no reasonable excuse so to doe, shall forfeit for every such refusing v. l. the one halfe thereof to be to the D. and her successours, and the other halfe to the Justices of the peace, or other head Officer or Officers, by whose commandement he was appointed to appeare to be Duerseer: and the same Duerseers so offending, to remaine in the ward of the Shirefe, Bailife, or other head Officer, untill such time as he hath made payment of the forfeiture, or otherwise put in sufficient bond for the satisfaction of the same. 39. Eliz. 20.

The forl.

Refusing to be Duerseers.

116 And to the end that the said Cloths, Kerseys, Dozens, Cottons, Penifions, Highley whites, and Frizes, or any other Clothes, by what name or names soever they be called, so to be viewed and searched, may be the better knowne: Therefore the said Duerseers shall fire unto every kind of the Clothes aforesaid, a Seale of Lead, containing the length and the weight of every such Clothes (together with this word, Searched) which Cloth so sealed by the said Duerseers, shall not be searched, tried, or viewed, by any other Searcher or Duerseer of any other Citie, Borough, Towne, Village, Parish, or Hamlet, by vertue of his or their said Office or Offices: Any thing in this Act, or in any other Statute to the contrarie notwithstanding. 39. Eliz. 20. Be it enacted, that from henceforth all Cogware, Kendals, course Cottons, and Carptmeales, which are, or hereafter shalbe made within the counties of Cumberland, and Westmerland, or within the townes and parishes of Carptmeale, Hawkhead, & Broughton, in the county of Lancaster, whereof the Dozen shal not exceed the rate & price of xliij. s. 4. d. shalbe made in such sort as may best please the buyer. And shal not be searched nor sealed with any of the said Seales, nor with any other seale, nor any subside or Aulnage great or little paid for the same: But the Owners of such Cogwares, Kendals, course Cottons, and Carptmeales, may freely sell the same not sealed, as they have bin accustomed, without forfeiting any thing to the R. for the same, any Law or Stat. or any branch or clause of any Law or Statute heretofore made to the contrarie notwithstanding. 7. Jac. 16.

The Duerseers shall fire a seale of lead to the clothes.

Certaine course cloth made in the North parts, which shall not be searched nor sealed

117 If any person or persons, but such as are appointed, assigned, and permitted by this Act, or their Seruants, or Deputies, do at any time counterfeit, or set to, or willingly or wittingly take away from any the said Clothes, Kerseys, Dozens, Cottons, Penifions, Highley whites, and Frizes, or any other cloth, by what name or names soever they be called, made within the counties aforesaid, any of the Seales so to be fired, as above is recited, then every person so offending, shal for the first offence forfeit and lose ten pounds, and for the second offence, being thereof lawfully convicted by the verdict of twelve men, or two sufficient witnesses, stand upon the Pillorie, and forfeit to the Queene her heires and successours xx. l. 39. Eliz. 20.

Setting seales to clothes, or taking them away without warrant.

118 And to the end that the said Statutes & Lawes aforesaid, may be the more effectually executed, and all stretching and straining, and falsifying of any the Clothes aforesaid taken away, Every Justice of Peace, head Constable, or other the Duerseers aforesaid, shall have full power and lawfull authority to enter in, or upon any the messuages, tenements, houses, buildings, lands, or grounds of any person or persons whatsoever, to search for any such Wenters, of what sort or kind soever, or any manner of ropes, rings, heads, wenchers, or other engines whatsoever, whereby any falsehood or deceit may be used, in, and about the stretching and straining of any of the said Clothes, Kerseys, dozens, frizes, cottons, penifions, highleys,

Authority to search for tenters, ropes, wenchers, &c.

Draperie,

The punish-
ment of the se-
cond offence.

Highlies, and whites, or any other Cloth, &c. And if they should find any such Ten-
ters, of what sort or kind soever, or any maner of ropes, rings, heads, wrenches, or
engines, they shall and may utterly deface the same, in such sort as they cannot be
employed againe to any such vse. And if any person or persons, with whom any such
shall once have been found, shall after that be knowne to have or vse any such tenter,
of what sort or kind soever, or any maner of rope, ring, head, wrench, or engine, then
they the said Iustices, head Constables, or Duerlars, or any of them within the se-
uerall precincts, shall take and sell the same to the best value thereof, and by the
consent of two Iustices of peace, within the same countie, dispose the money there-
of comming, to the Poore of that Parish where the same shall be so taken: And that
upon complaint made, or information giuen of any such tenter, of what sort or kind
soever, or any maner of rope, head, ring, wrench or twing, or any other engine, to a-
ny Iustice of peace, every one of them to whom such complaint shall be made, or in-
formation giuen, shall within vij. dayes next ensuing such complaint or informati-
on giuen, repaire to the place, where the same shall be so had and vsed, and then and
there execute this Law, as aforesaid, upon the paine hereafter in this present Act
expressed: And if any person or persons shall withstand or resist any such Iustice of
peace, or head Officers, in or about, touching or concerning the execution of the pre-
misses, every such person or persons shall forfeit and suffer as is before limited, for
resisting the Duerlars in the search. 39. Eliz. 20.

Resisting a
J. of peace to
execute his
authoritie.

The sort of a
Just. of P. for
omitting his
dutie.

How the sort.
shall be decided
and imploied.

119 And if any the Iustices or Iustice of peace, within the limits or bounds of
his or their Commission, shall be negligent, or make default in doing of any thing,
touching or concerning the due or true execution of this Statute, or any thing there-
in contained, every such Iustice of Peace, for every such default, shall forfeit and
lose v. l. And al such forfeitures as shall happen or grow by reason of this act, shall be,
one third part thereof to such person or persons as shall be then Duerlars, one other
third part to the vse of the P. and the other third part to the vse of the Poore, in such
sort as the Just. of P. in their Quarter Sessions to be holden next after iudgement
had or giuen for the same, shall limit and appoint. 39. Eliz. 20.

J. of P. shall
inquire, heare,
& determine
the offences.

Just. of M. shall
inquire, heare,
& deter-
min the offen-
ces of the Ju-
stices of peace

120 And the said Iustices of the peace in their Quarter Sessions shall and may
inquire, heare, and determine every fault or offence made or done contrarie to this
present Act, or any thing therein contained, except the offences committed and for-
feitures made by the Iustices of peace, by Presentment, Bill, or Information, and
upon profe thereof made by the Testimonie of two sufficient witnesses openly gi-
uen to the Iurie, and there upon presentment made by the Iurie, to give order for
the execution of this Statute, and every clause therein contained, and for the reco-
uerie of the penalties aforesaid, to the vse aforesaid. And the Iustices of Assise
shall and may enquire, heare, and determine every fault or offence made or done by
any Iustice of peace, contrarie to this present Act, in neglect of their dutie, in or a-
bout, touching or concerning the execution of this present Act, and upon profe ther-
of made by two sufficient witnesses, and by the presentment of the Iurie, shall and
may giue order for recoverie and imploiment of the penalties and forfeitures by
them committed and made, to the vles aforesaid: And for default of Iustice to be
done in maner and forme aforesaid, by the Iustices of peace, or Iustices of Assise,
Then the one moitie to be to the P. the other to the J. to be recovered by A. B. P. J.
in any of her Maiesties Court or Courts of Record at Westminster, in which no
W. P. C. &c. 39. Eliz. 20.

How the
Clothes
brought to
London to be
sold.

121 Provided neuertheless, That all and euerie kind of Clothes aforesaid, by
what name soever they be called, which shall be made within the Counties aforesaid,
and brought by to the Citie of London to be sold there, shall be brought into the
common Cloth Market place within the said Citie, commonly called Blackwell
Hall, to be there searched by, without wetting, and out of the Market times, by
the

the searchers of the said citie, upon paine that euery owner of any such cloth, shall forfeit for euery such cloth not so brought into the market, xl. s. And upon paine that euery searcher that shall search at any time in the market times, to the disturbance of the sale of such clothes in the market there, shall forfeit for euery such search so made v. l. All which said forfeitures shall be the one moitie to the Quene her heires and successors, the other to the J. to be recovered by A. J. wherein no W. P. C. fr. 29. Eliz. 20.

122 No person or persons shall put any Haires, Flockes, Thrummes, or Parne made of Lambes wooll, or other deceiueable thing or things, in, or upon any broad woollen cloth, halfe cloth, Bersey, Frize, Dozen, Penyston, or Cotton, Taunton cloth, Bridgewater, Dunster cotton, (which Dunster cotton hereafter shall be by this Act intended and taken to be of like weight, length, and breadth, as Taunton and Bridgewater cloth) or other cloth, of what nature, kind, or name soeuer made, or to be made to be sold, or offered to be sold, upon paine to forfeit euery such cloth, halfe cloth, Bersey, Frize, Dozen, Penyston, and Cotton, and other woollen cloth, of what nature, kinde, or name soeuer, whereinto, or whereupon any such Haire, Flockes, Thrummes, Parne, or Lambes wooll, or other deceiueable thing or things whatsoeuer shall be so put: any statute, law, dispensation &c. notwithstanding. And upon paine that euery person and persons, which shall buy, gather, or procure any Haire, Flockes, Thrummes, Parne, or Lambes wooll, or other deceiueable thing or things whatsoeuer, for that intent and purpose, to forfeit the same Haire, Flockes, Thrummes, &c. 43. Eliz. 10. See Br. 57. 155.

No deceiueable thing shall be put in cloth

Stretching of cloth by wrough.

123 No person or persons within this Realme of England, or the Dominions of the same, shall haue, vse, or occupie within any place of the said Dominions, any Tenter, Instrument, Engine, or other deuise, of what sort or kind soeuer, with any lower barre, pinne, ring, or other engine, or deuise, of what sort or kinde soeuer, whereby, or wherewith any rough and unwrought woollen broad cloth, halfe cloth, Bersey, Cotton, Dozen, Penyston, Frize, Rug, or any other rough and unwrought woollen cloth, of what nature, kinde, or name soeuer they be, or shall be of, made, or to be made to be sold, shall or may be stretched or strained in breadth, or shall haue, keepe, or vse any manner of wench, ringhead, growme, rope, or other engine, to stretch or strain any rough and unwrought woollen cloth, half cloth, Bersey, Cotton, Dozen, Penyston, Frize, Rug, or any other rough and unwrought woollen cloth, of what nature, kind, or name soeuer they be, or shall be of, in length, made, or to be made to be sold: Upon paine that euery offender, that shall haue, keepe, vse, or exercise any such tenter, instrument, engine, or deuise, with a lower barre, pyn, ring, engine, or deuise, wench, ringhead, growme, or rope, of what sort or kind soeuer, shall forfeit for euery such offence xx. l. to the Q. and J. that shall sue for the same by W. P. or J. in any of the Q. courts of record, wherein no C. P. or W. fr. 43. Eliz. 10. See Br. 58. 113. 114.

Gathering of deceiueable things.

124 No person or persons within England, or the Dominions of the same, shall set, or cause to be set directly or indirectly, any wrought woollen broad cloth, halfe cloth, Bersey, Cotton, Dozen, Penyston, Frize, Rug, or any other wrought woollen cloth, of what nature, kind, or name soeuer they be, or shall be of, made for sale, or offered to be sold, in, or upon any tenter, instrument, engine, or deuise, with a lower barre, pyn, ring, engine, or deuise, wench, ringhead, growme, or rope, of what sort or kind soeuer, to stretch or straining the same wrought woollen cloth, halfe cloth, Bersey, Cotton, Dozen, Penyston, Frize, Rug, or any other wrought woollen cloth, of what nature, kind, or name soeuer they be, or shall be of, other wise then the whole broad woollen cloth, one yard in length, and one halfe quarter in breadth: And the halfe cloth one halfe yard in length, and one halfe quarter in breadth: And the Bersey, Cotton, Dozen, Penyston, Frize, and Rug, one

No wrought woollen cloth shall be stretched.

Draperie.

None shall sell
woollen cloth
tentured.

one halfe yard in length, and one quarter in breadth : Whiche shall offer or sell any wrought woollen cloth, halfe cloth, Kersey, Cotton, Dozen, Penyslon, Frize, Rugge, or any other wrought woollen cloth, of what nature, kind, or name soener they be or shall be of, tentured, strained or stretched otherwise then as aforesaid, in, or vpon any tenter, instrument, engine or deuice with a lower barre, pyne, ring, engine or deuice, wrench, ringhead, growme or rope, of what kind or sort soener, vpon paine to forfeit every such woollen cloth, halfe cloth, &c. 43. Elizab. 10. S.Br. 8. 113.

The Clothiers
hand to the
Merchants
booke, for de-
fects in cloth.

125 No Merchant or buyer, which shall transport, or cause to be transported beyond the Seas, any broad woollen cloth, halfe cloth, Kersey, Cotton, Dozen, Penyslon, Frize or Rug, or any other woollen cloth, of what nature, kinde or name soener they be, or shall be of, by reason of any Clothiers, or Sellers of anie broad woollen cloth, halfe cloth, Kersey &c. so transported, his hand to such Merchant or buyers booke, bill or ticket, for or touching any defects, shall take any benefit or advantage. 43. Eliz. 10.

Unwrought
cloth tentu-
red, transpor-
ted & returned

126 Provided neuertheless, That if any unwrought cloth, halfe cloth, Kersey, Cotton, Dozen, Penyslon, Frize, Rug or any other unwrought woollen cloth, of what nature, kind or name soener they be, or shall be of, transported beyond the Seas, shall be found to haue been formerly tentured, strained and stretched by the means or consent of the maker or seller thereof, contrary to the true intent of this Act: Then such Merchant or buyer shall or may at his owne costs and charges returne the same into this Realme, and after such returne deliuer, or cause the same to be deliuered vnto the maker or seller thereof, with the seales therunto limited by this present Act, to be fired, and thereupon shall or may recouer the value thereof, so returned, by Action of Debt, B. P. or J. in any of the R. courts of Record, against the maker or seller thereof, by whole meanes or consent the same was so tentured, strained and stretched. 43. Eliz. 10.

The Statute
banned for
Northern
clothes, shall
extend to all
other clothes.

127 The Statute made 39. Elizab. 20. as to, for, touching and concerning Viewes, Seales, Searches, appointment of Querlers, Querlers Penalties, and authoritie giuen to Iustices of Assise, Iustices of Peace, head Officers of Cities, Boroughes and Townes Corporat, and other person and persons, of and for saytherne clothes, in the countie of York, Lancaster, and other the Counties on the North of Trent, shall respectiue extend vnto all and singular woollen broad clothes, halfe clothes, Kersies, Cottons, Dozens, Penyslons, Frizes, Rugges and all other woollen cloth, of what nature, kind or name soener they be, or shall be of, made and to be made within England, to be viewed, sealed, searched, overseene, subiected to penalties, and authoritie giuen to Iustices of Assise, Iustices of peace, and other person and persons, in such and the like manner and forme, and to such and the like purposes and intents respectiue, as is limited and appointed for such said saytherne cloth. And such as shall offend against the said act of 39. Eliz. obseruing and performing this Act, shall not incurre any penaltie mentioned in the said act. And all and every article, clause and sentence, in any act of Parliament heretofore made touching or concerning the abuses of clothes in this act mentioned, and being repugnant and contrariant to any article or sentence in this act, shall be utterly void. 43. Eliz. 10.

Offenders
against the Stat.
of 39. Eliz. and
performing
this.
Repeale of
all former
Stat. contrary
to this.
Clothes sea-
led by Quer-
lers.

128 Every broad woollen cloth, halfe cloth, Cotton, Kersey, Dozen, Penyslon, Frize, Rugge, and every other woollen cloth, of what nature, kind or name soener they be, or shall be of, sealed by the Querlers authorized by this Act, shall not be brought to be viewed, searched and scene, nor shall be searched, tried, or watered, by any other searcher or overseer of any Citie, Borough, Towne, Village, Parish, or Hamlet, by vertue of his or their office or offices: Any Statute, matter or thing, to the contrarie thereof in any wise notwithstanding. But this Act shall not

not extend to take away or abridge from any lawfull Aulnager, any power or right already given unto him by her Maiesties Letters Patents, for the dieving, sear ching, or seising of any Clothes put to sale contrarie unto the Lawes heretofore made in that behalfe. 43. Eliz. 10. 1. Jac. 25. To continue untill the end of the first Session of the next Parliament.

129 From and after fourescore dates next after the end of this Session of Parliament, euerie long broad Cloth and Clothes, which shall bee made of died wooll, and mingled colours, within any of the Shires of Kent, Dorset, or at the Towne of Reading, or elsewhere of like making, shall containe in length at the water, euerie peece being thoroughly wet, betweene thirtie, and foure and thirtie yards, euerie yard, yard and ynche of the Standard, and no more, and in breadth six quarters and a halfe of a yard at the least, within the lists, by the whole length of the same Cloth. And euerie peece of the same Cloth being well scoured, thicked, milled, and fully dyed, shall be in weight eightie six pounds at the least. 4. Jac. 2. S. Br. 5.

130 Euerie White Cloth which shall bee made within the Cities of Worcester, Couentrie, and Hereford, commonly called Long Worcester, or elsewhere of like making, shall containe in length, being wet, betwene thirtie and thirtie thre such said yards and ynches as aforesaid, and shall be in breadth seven quarters throughout all the whole Cloth, and being cleane scoured, thicked, milled, and fully dyed, shall weigh senentie eight pounds at the least. 4. Jac. 2. S. Br. 6.

131 All and euery long coloured Clothes, commonly called Plunkets, Azures, and Blewes, and long white Clothes, which shall be made in any of the Shires of Suffolke, Dorset, and Essex, or elsewhere of like making, shall containe in length, being wet, betwene twentie nine and thirtie two such yards and ynches as is aforesaid, and shall be in breadth six quarters and one halfe quarter within the lists at the least, and being well scoured, thicked, milled, and fully dyed, shall weigh eightie pounds at the least. 4. Jac.

132 All and euery short Clothes coloured, and short white Clothes, commonly called Sorting Clothes, which shall be made in any of the Shires last before mentioned, or elsewhere of like sort and making, shall containe, being wet, in length betweene twentie three and twenty six such said yards and ynches as is aforesaid, and breadth throughout the whole peece, six quarters within the lists at the least, and being well scoured, thicked, milled, and fully dyed, shall weigh sixtie foure pounds the Cloth at the least. 4. Iacob. 2. S. Br. 10.

133 All and euery short Clothes coloured, and short White Cloths, commonly called fine short Suffolkes, which shall be made in the Shires last before mentioned, or elsewhere of like making, shall containe being wet, in length betwene three and twenty and six and twenty such said yards and ynches as is aforesaid, and in breadth throughout the whole peece, six quarters and a halfe within the lists at the least, and being well scoured, thicked, milled, and fully dyed, shall weigh sixty foure pounds the Cloth at the least. And euery such Sorting short cloth, shall be differenced from the said fine Clothes last before mentioned, by a blew seluedge or edging on both sides. 4. Jac. 2.

134 Euerie White Cloth, which shall be made within the same Shires before mentioned, or elsewhere of like making, commonly called Handwarps, shall containe in length betwene twentie nine and thirty two such said yards and ynches as is aforesaid, and in breadth seven quarters, and being well scoured, thicked, milled, and fully dyed, shall weigh senentie six pounds at the least. 4. Jac. 2.

135 All

Draperie

Azures, plunkets, & blues made in Somerset and Wiltshire.
S.Br.13.

135 All broad Plunkets, Azures, Blues, and other coloured Cloth, which shall be made within the Shires of Wiltshire and Somersetshire, or elsewhere of like making, shall containe being thoroughly wet, betweene twentie five and twentie eight such yardes and ynches as is aforesaid, and in breadth six quarters and a halfe within the Listes, and being well scoured, thicked, milled, and fully dyed, shall weigh fiftie eight pounds the cloth at the least.
4. Lac. 1.

Short clothes of dyed woolls and mingled colours made in Dorsetshire.

136 Every cloth, commonly called short clothes, which shall be made of dyed Woolls, and mingled colours, within the countie of Dorset, or elsewhere of like making, shall containe in length, being thoroughly wet, betweene twentie three, and twentie five such yardes and ynches as is aforesaid, and in breadth six quarters and an halfe betweene the Listes, and being cleane scoured, thicked, milled, and fully dyed, shall weigh fiftie six pounds the cloth at the least, and every halfe peece thereof, commonly called Dozens, to be made and wrought after the same rate in every respect.
4. Lac. 2.

Broad listted Whites and Reds.
S.Br.12.28.

137 All broad listted Whites and Reds which shall be made in any of the counties of Wiltshire, Gloucestershire, Dorsetshire, and the Easterne limits of Somersetshire, or elsewhere of like making, commonly called sorting packe broad listted clothes, shall containe in length being wet, betweene twentie six and twentie eight such said yardes and ynches as is aforesaid, and shall be in breadth six quarters and a halfe throughout the whole cloth at the least, and being cleane scoured, thicked, milled, and fully dyed, shall weigh every peece of the same cloth fiftie foure pounds the cloth at the least.
4. Lac. 2.

Sorting packe clothes

138 All narrow listted Whites and Reds which shall be made in Wiltshire, Gloucestershire, Dorsetshire, and the Easterne limits of Somersetshire, or elsewhere of like making, commonly called sorting packe clothes, shall containe in length being wet, betweene twentie six and twentie eight such said yardes and ynches as is aforesaid, and shall be in length within the listtes, six quarters and a halfe throughout the whole Cloth at the least, and listted with narrow listtes, as hath bene accustomed for Sorting packe Clothes, and being cleane scoured, thicked, milled, and fully dyed, shall weigh every peece being white, fiftie one pounds at the least, and being Red, shall weigh fiftie pounds the peece at the least.
4. Lac. 2.

The clothes with plaine listtes.

139 Every fine Cloth with plaine listtes made in the Counties of Wiltshire, Gloucestershire, Somersetshire, and Dorset, or elsewhere of like making, shall containe in length betweene twentie nine and thirtie two such said yards and inches as is aforesaid, and in breadth six quarters and a halfe betweene the listtes throughout the whole cloth, and being cleane scoured, thicked, milled, and fully dyed, shall weigh sevenentie two pounds at the least.
4. Lac. 2.

Clothes having stop listtes

140 All and every clothes, having stoppe listtes, and not plaine listtes, shall containe in length betweene thirtie, and thirtie three of such said yards and ynches as is aforesaid, and in breadth seven quarters within the listtes, throughout the whole cloth, and in weight 78. pounds at the least, as all Gloucester clothes are limited.
4. Lac. 2.

Tamtons, Bridgewater, & Dunsters, broad clothes.

141 Every broad cloth, commonly called Tamtons, Bridgewater, and Dunsters, made in the Westerne parts of Somersetshire, or elsewhere of like making, shall containe being thoroughly wet, between twelue and thirteene such said yardes and ynches as is aforesaid, and in breadth seven quarters of a yarde at the least, and being well scoured, thicked, milled and fully dyed, shall weigh xxx. l. the Cloth at the least.
4. Lac. 2.

142 Every narrow cloth of like sort and making within the said Countie of Somersetshire, or elsewhere, shall containe in length being thoroughly wet, betweene

twene twentie foure and twentie five such yards and ynches as is aforesaid, and in breadth one yard within the lists at the least, and listted with a narrow list, and well scoured, thicked, milled, and fully dyed, shall weigh xxx. pounds a peece at the least, & the halfe cloth thereof to be of a proportionable length and weight, & of like breadth as aforesaid. 4. Lac. 2.

Canions,
Fadgwaters
& Duffers
narrowe
clothes.

143 All such like broad cloths, and narrow clothes last befoze mentioned, made within the county of Yorke into Whites & Reds, the broad cloth to hold the same length, breadth, & weight, but the narrow cloth to be allowed by this stat. to containe between 17. and 18. yards of like measure, breadth, and in weight proportionable as aforesaid. 4. Lac. 2.

Broad and
narrow
clothes made
within the
Countie of
Yorke.

144 All Devonshire Berries called Dozens, shall contain in length at the water between 12. and 13. such said yards and ynches as is aforesaid, and being well scoured, thicked, milled, and fully dyed, shall weigh xij. pounds the cloth at the least. 4. Lac. 2.

Devonshire
berries.
S.Br.104.

145 All Cloths, called Checke Berries Straits, and plaine Graies, shall contain in length at the water, betweene xviij. and xvij. such said yards & ynches as is aforesaid, and in breadth one yard at the least by all the length, and being well scoured, thicked, milled, and fully dyed, shall weigh twenty foure pounds the peece at the least. 4. Lac. 2.

Checke ker-
ries Straits,
and plaine
graies.

146 All Clothes, called Dydarie Penistones, or Fozells Whites, shall contain in length in the water, betweene xij. and xij. such said yards and ynches as is aforesaid, and in breadth five quarters and a halfe, and being cleane scoured, thicked, milled, and fully dyed, shall weigh twentie eight pounds the peece at the least. 4. Lacobi 2.

Dydarie
Penistones
or Fozells
Whites.
S.Br.126.

147 All Penistones, called Sorting Penistones, shall containe in length in the water, between xij. and xij. such yards and ynches, & shall be in breadth six quarters and a halfe, and being cleane scoured, thicked, milled, & fully dyed, shall weigh xxxij. pounds the peece at the least. 4. Lac. 2.

Sorting
Penistones.

148 All Cog-ware Kendal, and Carptmeales, shall from henceforth be made in such sort as may best please the buyer, and shall not be searched, or sealed, or bee subject to any other penaltie than such as was imposed thereon befoze Anno 29. reg. Elizabeth. so as they thinke not above one yard for everie twentie yards. 4. Lac. 2.

Cogware,
Kendall, and
Carptmeales.

149 All Berries, called Washers, or Wash Whites, made within the counties of York, Lancaster, or elsewhere of like making, shall containe in length at the water, being halfe thicked, betweene seventeene and eighteene yardes of the measure aforesaid, and being quarter thicked, shall containe betweene eighteene and nineteene such yards and ynches as is aforesaid, and being cleane scoured, and fully dyed, shall weigh seventeene pounds the peece at the least. 4. Lac. 2.

Washers, or
wash whites
made in Yorke
or Lancashire

150 No Cloth-worker, Shear-man, or Fuller, shall raise or rowe, or cause to be raised or rowed any kind of Clothes or Berries in or with anie Oyles, Goose-grease, Swines-grease, or any such like thing of any kind of Greases or Oyles, but shall sheare the same cloth, kerse plaine and streight, without laying in or laying on any of the foresaid oyles, Goose-grease, Swines-grease, or any other liquid or moist thing, but onely upon the edge of the Sheares with semet or oyles, upon paine to forfeit for everie time so doing contrarie to the true meaning of this stat. xij. s. iij. b. 4. Lac. 2.

Raising or
raising of
Cloth.

151 No Cloth-worker, Shear-man, or Fuller, shall raise, full, or row, or sheare the lists or sides of Clothes and Berries better than the middlest, but shall worke all alike, upon pain of forfeiting for every cloth, kerse plain & streight, done contrary to the true meaning of this stat. xij. s. iij. b. 4. Lac. 2.

Raising, full-
ling, or row-
ing in lists of
clothes.

Draperie.

Cutting the
wooll from the
backesides of
clothes.

152 No Cloth-worke, or any other person or persons whatsoever, shall haue or vse for the cutting or taking away of the wooll from the backesides of any Clothes and kersies, any knife or knives, rubster or rubsters, pumistone, or any other deuice whatsoever, but only to sheare the same backside with a paire of sheares, vpon paine of forfeiting for euery peece wherein or wherenpon the same shal be so done, the sum of xij. s. iij. d. 4. Jac. 2.

Blowing,
spouting, or
bedewing any
kind of cloth.

153 No Cloth-worke, Sheare-man, or Fuller, or any other person or persons whatsoever, shall blow, spout, or bedew any kind of broadcloth, or kersie, on the sides, & edges nere the lists thereof, with any water, or other liquid or moist thing whatsoever, whereby the edges or sides of any cloth or kersie, may make shew to be better than it is, in the ridge, crest, or midst thereof, vpon paine to forfeit for euery such offence, the summe of xij. s. iij. d. And if any person or persons shall blow, spout, wet, or bedew, or cause to be blowed, spouted, wet, or bedewed with any liquid or moist thing, any kind of cloth or kersie, of whatsoever countrie, making or name, for increase of weight, thereby to deceiue the Buyers or Searchers, such person or persons shall forfeit, and loose for euery such offence, the summe of xl. s. 4. Jac. 2.

Abatement
for the dying,
dressing, row-
ing, shearing.

154 All the said white clothes, and coloured clothes which by this present act are not limited, and appointed to be wrought, dyed, & shorn, shall haue allowance, and abatement, for the dying, dressing, rowing, and shearing thereof, for euery such said shorn broad woollen clothes, foure pounds in weight and no moze, & the long clothes five pounds and no moze, and so after that rate in all & euery the same halfe woollen cloth, kersie, and other the said woollen cloth. 4. Jac. 2.

Into what
cloth flore,
thums, or
Lambes wooll
may be put.

155 It shall and may be lawful to and for any person or persons, lawfully exercising the trade or art of a Clothier, or making of clothes, to make flore, thums, and Lambes wool into cloth of one only kind or making, which shal containe in length, being thoroughly wet, between xij. and xij. such yards and ynches as is aforesaid, and in breadth one yard at the least within the lists, and being cleane scoured, thicked, milled, and fully dyed, shal weigh xvi. pounds the peece at the least. 4. Jac. 2. S. Br. 57. 122.

The meane to
know cloth
made of flore,
thums, &c.

156 And for the better and moze easie distinction and knowledge of euery such Cloth from cloth made of perfect wooll, euery Cloth made of Flore, Thummes, and Lambes wooll, shall haue the one list wholly of blacke Parne, and on the other side a seluedge onely. And no Person or Persons shall put any Paire, Flor, Thummes, or any Paire made of Lambes wooll, or other deceivable thing or things in or vpon any other broad woollen cloth, half cloth, kersie, frize, dozen, baies pennystone, cotton, Taunton cloth, Bridgewater, Dunster-cotton, or other cloth of what nature, kind, or name soeuer made to be sold, and sold, not being made and listed with such blacke list and seluedge as aforesaid, vpon paine to forfeit euery such of the said woollen cloth, halfe cloth, kersie, frize, dozen, pennystone, cotton, and other woollen cloth of what nature, kind, & name soeuer, other than such as shall be listed and made as aforesaid, whereinto or vpon which any such Paire, Flor, Thummes Paire of Lambes wooll, or other deceivable thing shall bee put or vied, or the value thereof. 4. Jac. 2.

Places where
flannel, wad-
malls, or coner-
lets be made.

157 Provided alwaies, that in such Townes, Places, and Counties, where Flannell, Wadnalls, and Couerlets or Blankets are vsually made, the same may be made in such sort, as heretofore hath been lawfully vied and accustomed: This stat. or any thing therein contained to the contrary thereof in any wise notwithstanding. 4. Jac. 2.

The forfeit-
ure wherethe
cloth is longer
than is ap-
pointed.

158 And if any of the said broad woollen Clothes, or halfe Cloth, or any other kind of woollen Clothes, Dozens, Cottons, or other sorts of Woollen Cloth be, soze mentioned in this present Act, of what nature, kind, or name soeuer they be, of

of, made to be sold, and sold, shall be more in length than is therfore respectively limited & appointed in this present act, then every person or persons selling the same, shall forfeit and pay for every yard and ynch, exceeding the length so appointed, the summe of x. s. and no more. 4. Jac. 2. S. Br. 25. 162.

159 And if any such cloth shall not weigh proportionably for every such yard and ynch to the severall and respective weight to them so limited & appointed, then the said person or persons selling the same, shall forfeit and lose for every pound weight that shall be wanting above two pounds, the sum of x. s. & no more, any former law or statute to the contrary thereof in any wise notwithstanding. 4. Jac. 2.

The forfeit if the cloth shall want weight.

160 And if any such cloth before mentioned, not exceeding the severall lengths to them by this Statute limited or appointed, and holding the severall and respective weight limited and appointed, doe yet fortune to want of the in breadth limited or appointed, then the said person or persons, selling the same, shall forfeit and lose for every cloth falling narrow through the whole cloth, twentie shillings, and throughout halfe the cloth ten shillings, and under halfe the cloth, five shillings onely and no more, any former Lawes, or Statutes inflicting other or greater penaltie or penalties to the contrarie thereof in any wise notwithstanding. 4. Jacobi 2.

The forfeit if the cloth doe want breadth

161 And if any cloth or clothes, of any the names, natures, or making aforesaid, which by this Statute, or any clause or article therein, or any other Statute, now in force and not repealed, shall upon due and convenient trial, within convenient time after sale thereof, in presence of the party that sold the same, or other person or persons by him appointed, if he or they will be present at the search and trial thereof, or if he or they will not be present, having reasonable notice, then in his or their absence be found to be of lesse length, than the scale or scales thereon fixed at the time of the sale thereof do purport, then the owner, or person or persons selling the same, shall forfeit and lose to the merchant, draper, or other person or persons that shall have bought the same, for so much as shall be wanting of the length specified in the scale or scales of the said cloth, after the rate of vi. s. viij. d. for every yard, over and besides the true value of so much of the said cloth or clothes, as shall be found wanting of the length certified by the said scale or scales, and no more: Any former law or statute inflicting other or greater penaltie to the contrary thereof in any wise notwithstanding. 4. Jac. 2. S. Br. 30.

Cloth of lesse length than the scale doth purport.

162 All and every Branch, Clause, and Sentence, in any former Statute, whereby any other Length, Breadth, or Weight of the Clothes before mentioned, or any of them, or any other penaltie or forfeiture concerning the Length, Breadth, or Weight of the foresaid Clothes, or any of them, or any other offence by this Act intended to be reformed, is limited, or whereby any penaltie or forfeiture for the offences in this Bill mentioned, or any of them, are given to any other person or persons, then in and by this Statute is limited and intended, shall be from henceforth utterly repealed and made void. 4. Jac. 2.

A repeal of other Statutes concerning the length, breadth, and weight of clothes.

163 None of the Clothes aforesaid, which by the Lawes and Statutes of this Realme ought to be Sealed, of what Name, Nature, or Qualitie soever they be of, being Sealed by the Quersers, authorized as well by a Statute made Anno 39. Eliz. 20. intituled, An Act against the deceitfull stretching and tainting of woollen cloth, as also by a Statute made An. 4. 1. Eliz. 10. intituled, An Act for the true working and making of woollen cloth, shall afterward be searched, tried, or watered by any other person or persons whatsoever, but only by the Merchant or draper, or other person to whom the same shall be sold: And if any woollen cloth upon the search by the Searchers or Quersers of the Cities, Counties, Townes, or places where the Cloth is made, shall be found either to exceed the length, or to want of the weight by this Statute limited, the said Searchers or Quersers

Cloth sealed by Quersers shall not be searched, tried or watered againe.

where the searchers shall have the mastery of the forfeit

Draperie.

finding and certifying the said over-length, and the weight that shall want, or such of them wherein the Offence shall happen to have been committed, by his or their Seale or Seales, shall have the one moitie of all such penalties and forfeitures, as by this Statute are given, limited, and appointed for excess of length, or want of weight, and no other person or persons: and shall or may sue for, and recover the same by A. of debt, B. P. J. in any of the B. courts of Record at Westminster, wherein no C. P. or W. &c. And our Sovereigne Lord the K. Maiestie, his heires and successors, shall have the other moitie. 4. Jac. 2.

Clothes faulty not to be certified by the Overseers.

164 And also if any woollen cloth or clothes of any the natures, names, or makings aforesaid, shall after such search in the countrey or other place aforesaid, be found to be faulty in any thing not certified, and appearing by the Seale, or Seales of the said Overseers, and Searchers by the Merchant, or Draper, or other person or persons buying the same, upon due and convenient triall within convenient time, after the sale thereof in presence of the parties that sold the same, or of other person or persons by him, or them to be appointed, if hee or they will be present at the search and triall thereof, or if he or they will not be present, having reasonable notice given, then in his or their absence, the said Merchant or Draper, or other person that bought the same, and no other, shall have the one moitie of all the penalties and forfeitures by this Statute imposed, and incurred, and not become due to the Overseers and Searchers aforesaid, to his owne onely proper use and behoofe: Any former Statute, matter, or thing whatsoever to the contrary hereof, in any wise notwithstanding, and also shall and may sue for, and recover the same in any of his Maiesties Courts of Record at Westminster, by A. of debt, B. P. J. wherein no C. P. or W. &c. And his Maiestie, his heires and successors, shall have the other moitie. 4. Jac. 2.

Duties and payments for a broad woollen cloth.

165 And forasmuch as of late it hath bene reputed, that a broad woollen cloth, should and ought to consist of xxiij. such yards and ynches as aforesaid, & not above, and payments and other duties have bin accordingly demanded, & paid for the same: Be it therfore enacted, that if any broad woollen cloth be made longer or shorter than xxiij. such said yards and ynches, all duties and payments hereafter to be payed for the same, shall be demanded and made proportionable, according to the rate and proportion of xxiij. such said yards and ynches, for a whole cloth, and not other wise. 4. Jac. 2.

Every Clothier may make every kind of woollen cloth.

166 And whereas by this and divers other Statutes concerning Draperie and clothing, it is enacted, that all and everie broad cloth and clothes, which shall be made in Kent and Sussex, or at the towne of Reading, or elsewhere of like making, shall be of a certaine Length, Breadth, and Weight, in this or other the said Statutes, expressed and limited, and in like sort for Woollen Cloths most usually made in some other Counties or Townes, are first, specially and particularly named in this and other the said Statutes, and after follow these words (or elsewhere of like making) imposing that it should be lawful for any Clothier of whatsoever town or county within this realm to make cloth of like making, & accordingly by the same hath heretofore bin put in use: Yet forasmuch as of late some doubt hath therupon risen, Be it therfore explained and enacted, that it is and shall be lawful for every Clothier, of what towne or countie soever within this realme, where clothing hath heretofore bin used, to make, or cause to be made, any true woollen cloth, of what name, nature, or manner of making soever y^e same be, Albeit the same kind of woollen cloth do beare specially the name of some other Countie, Citie, or Towne within this Realme. 4. Jac. 2.

The kings duties and his officers retained.

167 Neither this Act, nor any thing therein contained, shall extend to abridge or diminish any Customs, or Duties appertaining to our Sovereigne Lord the Kings Maiestie, his heires or successors, or to any his Officers, or Ministers, for the

the searching, measuring or sealing any the Clothes befoze mentioned, nor to hurt or prejudice the lawfull fees, due or belonging to his Majesties Aulnager, or to hurt or prejudice the lawfull use and exercise of the Office of Aulnager, so as after any cloth once lawfully searched, and lawfully sealed, the same be not compelled to be further viewed, searched, measured, or sealed. This Act to continue untill the end of the first Session of the next Parliament. 4. Jac. 2.

168 All and every letw person and persons, who shall at any time within xi. dayes next after the end of this Session of Parliament, unlawfully, falsely, or deceitfully, convey away, imbezell, purloyn, sell or detain, any part of the wooll or Yarne delivered by any Clothier, maker of Bayes, Sayes, or by any other person or persons, making any such Clothes or Stuffs, to any such Soxter, Carder, Kember, Spinster or Weauer of Wooll or Yarne: That in every such case and cases, aswell the Soxter, Carder, Kember, Spinster and Weauer so offending, as the Wuper and Wupers, Receiuer and Receiuers of the same, knowing the same, being thereof lawfully convicted (by the confession of the Partie or Parties so offending, or by one sufficient Witnesse, upon Oathe befoze two or moze of the Kings Majesties Justices of the Peace of the same County or Libertie where the same Offence or Offences shalbe committed, or if it be within a Towne corporate, befoze the Mayo, Bailife, or chiefe Officer, and one moze of the Aldermen or most Substantiall persons of the said Towne who shall by force of this Act haue full power and authoritie to minifter the same Oath, and finally to heare, end, and determine all and every the Offences aforesaid) shall giue and make to the partie and parties grieved, such recompence and satisfaction for such their Damage and losse, as by the said Justices or chiefe Officers, shall be ordered and appointed. And if the Partie or Parties so offending, shall not be thought in the discretion of the said Justices or chiefe Officers able or sufficient, or doe not make recompence or satisfaction for the same Offence or Offences, in such maner and forme, as by the said Justices or chiefe Officers, shall be ordered and appointed, as aforesaid, then the Partie or Parties offending, for the first offence to be apprehended and whipped, or set in Stockes in the place where the Offence is committed, or in some market Towne in the same Countie, neere vnto the place where the Offence or Offences aforesaid shall be committed as shall be limited and appointed by the said Justices of the Peace, or chiefe Officers. And for the second offence to incurre, the like or such farther punishment, by whipping or being put in the Stockes, as the said Justices of the Peace, or chiefe Officers, shall in their discretions, thinke fit and convenient. 7. Jac. 7.

The punishment of a Soxter, Carder, or of wooll or Yarne that both detain any part thereof.

169 All and every Receiuer and Receiuers, Wuper and Wupers of any Wooll or Yarne imbezilled or purloined, contrarie to the meaning of this Act, knowing the same to be imbezilled or purloined, shalbe subiect to like punishment, as by this Act is inflicted, or provided to bee inflicted upon any such person so imbezilling or purloining any such wooll or yarne as aforesaid. 7. Jac. 7.

The punishment for the second offence

The punishment of the Receiuer or Wuper of imbezilled yarne.

170 All and every Spinner and Spinners of Wooll within the County of Essex, that shall receiue any Wooll to be spun into Yarne, for any Clothier for making of Bayes, saies, or other Stuffs aforesaid, dwelling in the Town of Cogshall, Bocking, Baintree, Halstead, Wiltam or Colchester within the said Countie, and shall deliver backe againe the Yarne made of the said Wooll, by any Soxter Kiele, then hath been there vsuall of ancient time, that is to say, the said Kiele containing two yards about, shall be subiect to like punishment as by this Act is inflicted, or provided to be inflicted, upon any person or persons, imbezilling and purloining yarne as aforesaid. 7. Jac. 7.

Spinners of wooll in certain townes in Essex.

171 The foresaid Statute of 5. Edw. 6. repealeth all and every Article, Clause, or Sentence in any Act of Parliament, thertofore made, concerning making, dying, dref-

Draperie. Drunkenesse.

sing, pressing, searhing, or sealing any of the kindes of Clothes, Broad or Narrow, White or Coloured, Kerseyes, Frizes, Rugges, or Cottons, in the said Act mentioned, and being repugnant and contrarie to any Article or sentence in the said Statute. And the Stat. of 8. Eliz. 12. repealeth all and euery Braunch, Clause, Sentence, and Article, specified and contained in any other Acts of Parliament before that time made concerning the sealing and making of Lancashire Cottons, Frizes, and Rugges. And the Statute of 43. Eliz. 10. repealeth euery Article, Clause, and Sentence, in any Act of Parliament heretofore made, touching the abuses in the said Act mentioned, and being repugnant and contrarie to any article and sentence in the said Act. And the Stat. of 4. Iac. 2. repealeth all and euery Branch, Clause, and Sentence, in any former Statute, whereby any other length, bredth, or weight of the Clothes in the same Statute mentioned, or any of them, or any other penaltie, or forfeiture concerning the length, bredth, or weight of the Clothes in the said Statute mentioned, or any of them, or any other offence by the said Act intended to be reformed, is limited, or whereby any penaltie or forfeiture for the offences in the said Act mentioned, or any of them, are giuen to any other person or persons, then in and by the said Statute is limited and intended. And therefore consider diligently, if any Statute, Article, Branch, or Sentence of any Statute made before either of the foresaid Statutes, and in this Treatise expressed, be by the generall words of either of the said Statutes repealed, as many other whole Statutes and branches of Statutes be, which here are omitted: And how farre and in what points one of the Statutes in this title inserted, doe agree with some other, and wherein they doe differ, or be repugnant. Q.

1 The length, bredth, and weigh of Welsh Cottons. S. 1. Iac. 25. Br. 19.

2 Aliens not being Denizens, shall make no Cloth, nor put any Wooll to worke to make Cloth. S. Aliens 1.

Drunkenesse.

The forfei-
ture of a drunk-
ard.

Refusing to
pay the for-
feiture.

The penalty
of the Constable
omitting
his duty.

All and euery person or persons, which after fortieth daies next following the end of this present Session of Parliament, shall be drunke, and of the same offence of drunkenesse shall be lawfully convicted, shall for euery such offence forfeit and lose five shillings of lawfull money of England, to be paid within one weeke next after his or their conviction thereof, to the hands of the Churchwarden of that parish where the offence shall be committed, who shall bee accountable therefoze to the use of the poore of the same parish. And if the said person or persons so convicted, shall refuse or neglect to pay the said forfeiture, as is aforesaid, then the same shall be from time to time leuied of the goods of euery such person or persons so refusing or neglecting to pay the same, by Warrant or Precept from the same court, Judge or Iustices, before whom the same conviction shall be. And if the offender or offenders be not able to pay the said summe of five shillings, then the offender or offenders shall be committed to the Stocks for euery offence, there to remaine by the space of sixe houres. 4. Iac. 5.

2 If any Constable, or any other inferiour Officer of that parish or place, where the offence shall be committed, to whom that shall giuen in charge by the Precept of any Magistrate, Bailiffe, or other head Officer, or Iustices of the Peace within their severall limits, do neglect the due correction of the said offender, or the due leuying of the said penalties, where distresse may be had, then euery person so offending, shall forfeit the summe of ten shillings of currant money of England, to the use of the poore of the same parish, or place where the offence shall be committed, to be leuied by way of distresse by any other person or persons, hauing warrant from any Magistrate,

Mayor, Baylife, or other head Officer, Justices of Peace or Court, where any such conviction shall be, and to be paid to the Churchwardens as before limited, who are also to account for the same to the use aforesaid. 4. Jac. 5.

3 If any person or persons within this Realme of England, or the Dominton of Wales, shall remaine or continue drinking or tipling in any Inne, Victualling house, or Alehouse, being in the same citie, towne, village, or hamlet, wherein the said person or persons (so remaining drinking or tipling) both dwell and inhabit at the time of such drinking and tipling, and the same being viewed and seene by any Mayor, or other head officer, Justice, or Justices of the peace within their severall limits, or duly proved in such manner & forme as is limited, in and by one Act of Parliament, made in the first Session of this present Parliament, intituled, An Act to restraine the inordinat haunting and tipling in Innes, Alehouses, and other victualling houses unlesse it be in such case or cases as be tolerated or excepted in the said Act, then every person or persons so offending, shall forfeit and lose for every such offence the summe of iij. s. iij. d. of currant mony of England, to the use of the poore of the Parish where the said offence shall be committed, to be levied by way of distress, in such manner and forme as is before appointed by this Act, for the leuying of the penaltie of v. s. for being drunke. And if it happen that any Offendor or offenders, against the true intent of this clause or branch, being thereof lawfully convicted, be not able to pay the said forfeiture or forfeitures, then it shall and may be lawful for any Mayor, Bailife, or other head Officer, Justice or Justices of peace, or court, where any such conviction shall be, to punish the said offendor or offenders, by setting him, her, or them in the stocks, for every such offence, by the space of foure houres. 4. Jac. 5.

The penalty for continuing drinking in an Alehouse

S. Alehouse 6.

4 All the offences in this Act, and the said former Act mentioned, shall bee from time to time diligently enquired of, and presented before the J. of assises in their circuit, J. of the peace in their Quarter or ordinarie Sessions, and before the Mayor, Bailifes, or other head Officers of every citie, or towne corporat, who have power to enquire of trespasses, riots, routs, forces, & such like offences, and in every court Leet, & therupon such due proceeding shall be against the offendor & offenders, for their due conviction in that behalfe, as in such like cases, upon any Indictment or presentment is used by the Lawes of this Realme, or customes of the City, towne or place where such presentment or indictment shall be enquired of and found. 4. Jac. 5.

Who shall inquire and punish the offenders.

5 If any person or persons, being once lawfully convicted of the said offence of drunkennesse, shall after that be againe lawfully convicted of the like offence of drunkennesse, then every person and persons so secondly convicted of the said offence of drunkennesse, shall be bounden with two sureties to our Soueraigne Lord the K. his heires & successors in one recognisance or obligation of r. p. with conditions to be from thenceforth of good behaviour. 4. Jac. 5.

The penalty for the second offence of drunkennesse.

6 All Constables, Churchwardens, Headborough, Tithingmen, Alecunners, and Sidemen, shall in their severall othes incident to their severall Offices, be charged in like sort to present the offences contrarie to this Statute. 4. Jac. 5.

Officers presenting offenders.

7 Provided alwaies, that this Act, or any thing therein contained, do not in any wise abridge or restraine the Ecclesiasticall power or jurisdiction, but that all Ordinaries & other Ecclesiasticall Judges and Officers, shall and may proceed to inquire of, censure, & punish all such offenders, according to the Ecclesiasticall lawes of this Realme, in such manner and forme, as before they lawfully might doe, any thing in this Act to the contrary notwithstanding. 4. Jac. 5.

No restraint of Ecclesiastical jurisdiction.

8 Provided also, that when any of the offenders against the true intent of this Act, or any branch or article thereof, hath bin once punished, or corrected for his or her offence, by any the waies and meanes before limited, that then the said offender shall not be effswones punished or corrected for the same offence by any other waies

But one punishment for one offence.

Drunkennesse. Dying, Dyers.

or meanes. 4. Jac. 5.

The Antient
Cities priuileges.

9 Provided alwaies, that this Act, or any thing therein contained, shall not bee preiudiciall to either of the two Universities of this land, but that the Chancelloz, masters, & schollers, & the succelloz of them, & either of them may as fully vse & enjoy all their iurisdiccions, rights, priuiledges, & charters, as heretofore they haue, or might haue done, any thing in this Act to the contrarie notwithstanding. 4. Jac. 5.

Within what
time the offend-
er shall be pre-
sented, &c.

10 Provided alwaies, that no person or persons shall be punished, impeached, or molested for any offence mentioned in this Stat. vnlesse he shall be for the same offence presented, indicted, or committed within sixe moneths after such offence committed. This Act to continue vntill the end of the first Session of the next Parliament.

4. Jac. 5.

Dying, Dyers.

Logwood and
Blockwood
shall be burned.

All Logwood, alias Blockwood, in whose hands soeuer the same shall be found, shall be forfeited and openly burned by the authorizty of the Maior, or other head Officer of the Citie, or Towne Corporat, or of two Iustices of peace of the county where it shall be found. And no person shall die, or cause to bee dyed any Cloth, broad Clothes, Kerlies, Woolls, Penistones, Bayes, Cottons, Hosen, yarne, Hats, Caps, Flannels, Woodmalles, Stockadoes, Kashes, Buffins, Lustmoores, or any other thing whatsoever, with any of the said ware or stuffe, called Logwood, alias Blockwood, vpon paine that the Dyer of enery such feuerall thing so dyed, shall forfeit the value of the thing so dyed, to the Maior and I. to be recovered by Action, 15. P. 3. &c. Wherein no Maior, &c. And the partie offending, being thereof convicted, shall remaine in prison without baile or mainprise, vntill he hath satisfied the same value. 23. Eliz. 9.

Whoring or
singing of Log-
wood with
wood or other
stuffe.

2 If any Person shall be suspected to offend by cunning vsing or mixing of the said Logwood, alias Blockwood, together with wood or other stuffe, then any Justice or Iustices of Peace of the same Countie, where the said supposed offender shall dwell, if he dwell out of a Corporat Towne or Citie, and if he dwell within any Corporat Towne or Citie, then the Maior, Bailife, or other head Officer, being a Justice of peace of such Corporat Towne or Citie, where such supposed offender shall dwell, vpon notice and information of him or them giuen in that behalfe, shall by his or their warrant or other commandement, cause to come before him or them the seruants and workemen of such supposed offenders, and other persons able to disclose the said deceit, and them to examine by their othe, or otherwise: And if vpon the same examination they shall finde any person or persons, to haue vied, or caused to be vied, in the dying or colouring of any cloth, wooll, yarne, grogeraine, busins, or silk, or any thing made of woollen yarne or silk, any Logwood, alias Blockwood, or now, or heretofore reputed and taken for Logwood, alias Blockwood, then the said Iustices or Justice, Maior, Bailife, or other head Officer being a Justice of Peace, shall not onely bind with suretie all such person or persons, whom they shall finde so suspected to haue offended, and such other as may discouer the same offence, to the next Quarter Sessions or Gaole deliuerie, which shall happen to bee holden for the Countie, Citie, or Towne Corporat: but also to certifie al such examinations and depositions, as tend to the finding out or discouery of the said offences at the said Gaole deliuerie, or Quarter Sessions: And also if any such person so suspected to haue offended, vpon examination aforesaid, shall refuse to bee bound, as aforesaid, then the said person or persons so refusing, to be committed to the next Gaole, there to remaine, till he, shee, or they shall so become bound with sureties. And the said Iustices of Assise, or Iustices of Peace, at such Gaole deliuerie, or Quarter Sessions, shall haue authorizty to indict and trie the offenders, by the vsuall course of Indictments and trials in like cases: And after such conviction,

ation, to aduindge the said offendours to be set openly on the Pillorie, in the said City or market Towne, where the same offence shalbe committed: And if it shall not be in any Market Towne, then in the next Market towne adioyning, in the same Countie, there to continue by all the time of the market, or moze daies, by their discretion, for every such offence: And further, every such offendour, beside his said corpozall punishment, shall forfeit for every such offence the summe of xx. l. to the Du. and J. which will sue for the same by Action of debt, B. P. J. in any Court of Record, wherein no C. P. M. or P. ec. And the partie offending, being thereof convicted, to remaine in prison without baile or mainepprise, till he haue satisfied the same. 39. Eliz. 11.

3 No kind of Cloth or clothes, kersyes, baies, frizadoes, broad or narrow, Wosen, or other things, being in the nature of cloth, shalbe mathered for a black, except the same be first grounded with Woad onely, or with Woad and Pele, alias blew Inde, vnlesse the madder be put with Shomake, or Gallis. And no person shall dye or cause to be dyed any Cloth or Clothes, or other things aboue said, of what kind or nature soeuer, mathered for a blacke, not haning a ground of Woad onely, or of Woad and Pele, alias blew Inde, vnlesse the Madder be put in with Shomake, or Gallis, vpon paine that the Dyer of every such seuerall thing so dyed, shall forfeit the value of the same thing so dyed, to the Du. and him that will sue for the same, by A. B. P. in any Court of Record, in which suit no C. P. M. nor writ of Priviledge shall be allowed. And the party offending, being thereof convicted, shall remaine in prison without baile or mainepprise, till he haue satisfied the same value. Provided alwaies, that it shall and may be lawfull to die all maner of Gall black, Shomake blacke, alias plaine blacke, wherein no mather shalbe vsed, as heretofore lawfully hath been done, this Act ec. notwithstanding. 23. Eliz. 9.

No cloth shall be coloured for black, except it be first grounded with Woad.

Gall blacke and Shomake blacke excepted.

A seale of lead with the letter M.

4 Every Dier, that shall die any of the said black Cloths, Kersies, or Frizadoes, mathered, and not woaded, shal befoze he deliner any of the same forth of his hands fire a Seale of Lead to every of them, in which the letter M. signifying mathered, shall be contained, vpon paine that every Dier offending to the contrarie, shall forfeit for every yard of the said Cloth, Kersies, Baies, or Frizadoes, liij. s. iiii. d. And if any person shall sell any Cloth, Kersies, Baies, or Frizadoes, mathered, and not woaded, and shal not first give notice to the buyer thereof, that the same is not woaded, shall forfeit also the double value of such Cloth, Kersies, Bayes, and Frizadoes, as he shall so sell, which forfeitures shalbe to the partie that shall sue for the same in any Court of Record by A. B. P. or J. wherein no C. M. ec. 23. Eliz. 9.

1 In what manner woollen Cloth dyed, shall bee vsed in the dying. See Draperie 65.

2 None that vse the dying of Sayes, Worstedes, or Stamins, shall calender them. S. Worstedes 3.

Eares.

Who soener shall maliciously, vnlawfully, and willingly cut, or cause to bee cut off the eare or eares of any the Kings subiects, otherwise then by authority of the Law, Chance-medley, sudden affray or aduenture, shall forfeit to the Partie grieved treble damages, to be recovered by action of Trespasse, and to the King for a fine r. l. 37. H. 8. 6.

Cutting of eares.

Ecclesiasticall persons, linings, and Iurisdiccions.

If any person Ecclesiasticall, or hauing Ecclesiasticall lining, shall aduisedly maintaine any Doctrine directly, contrarie to any of the Articles comprised in a Booke

Maintaining doctrine against the articles.

Ecclesiasticall persons, and livings.

Booke entituled (Articles &c. touching true Religion) and being conuented befoze the Bishop, Ordinarie, or the Queenes Commissioners in causes Ecclesiasticall, shall persist therein, and not reuoke his error, or after such renocation, shall estoones affirme such Doctrine, such maintaining or affirming and persisting, or such estoones affirming, shall be a lawfull cause, to depzie such person of his Ecclesiasticall promotions. And it shall be lawfull to the Bishop of the Dioces, or Ordinarie, or the said Commissioners, to depzie such persons so persisting, or lawfully committed of such estoones affirming. And vpon sentence of depziation pronounced, he shall be indeed depzied. 13. Eliz. 12.

The age of a beneficed person, & he shall read and subscribe the articles.

2 No person shall be admitted to any Benefice with cure, except he then be of the age of xxiij. yerres as the least, and a Deacon, and shall first haue subscribed the said articles &c. in the presence of the Ordinarie, and publickly read the same in the parish Church of that Benefice, with declaration of his vnfained assent to the same. And if any person to be admitted to a Benefice with cure, doe not within two moneths after his Induction publickly read the said articles, in the Church whereof he shall haue cure, in the time of common prayer there, with declaration of his vnfained assent thereunto, and be admitted to minister the Sacraments within one yere after his induction (if he be not so amitted befoze) hee shall bee immediatly vpon euery such default (ipso facto) depzied. And no person now permitted by any dispensation, or otherwise, shall retaine any benefice with cure, being vnder the age of xxiij. yerres, or not Deacon at the least, or which shall not be admitted, as is afoze said, within one yere next after the making of this Act, or within six moneths after he shall accomplish the age of xxiij. yerres, on paine that such his dispensation shall be meere vvoid, 13. Eliz. 12.

The ministers age and his testimoniall.

Examination of a persons abilitie.

3 None shall be made minister, or admitted to preach or minister the Sacraments, being vnder the age of xxiij. yeres, nor vnlesse he first bying to the bishop of that dioces (from men knowne to the Bishop to bee of sound religion) a Testimoniall both of his honest life, & of his professing the doctrine expressed in the said articles, nor vnlesse he be able to answer and render to the Ordinarie an account of his faith in Latine, according to the said articles, or haue a speciall gift and abilitie to bee a Preacher: No shall be admitted to the order of a Deacon, or Minister, vnlesse hee shall first subscribe to the said articles. 13. El. 12 For the examination of the abilitie of a person presented to an Ecclesiasticall benefice, doth pertaine to an Ecclesiasticall Judge: And so it hath been heretofore vsed, and shall be in time to come. Articuli clerici. An. 9. Ed. 2. 13.

Benefice of the value of xxx. l.

4 None shall be admitted to any Benefice with cure, of, or aboue the value of xxx. l. yerely in the Qu. bookes, vnlesse hee shall then be a Bachelor of Diuinitie, or Preacher lawfully allowed by some Bishop within this Realme, or by one of the Vniuersities of Cambridge, or Oxfozd. 13. Eliz. 12.

No Lapse but after notice.

5 All admissions to benefices, institutions, and inductions to be made of any person contrarie to the forme, or any prouision of this act, and all tollerations, dispensations, qualifications, and licences whatsoever to be made to the contrary hereof, shall be meere vvoid in law, as if they neuer were. Prouided alwaies, that no title to conferre or present by Lapse, shall accrue vpon any depziation ipso facto, but after six moneths after notice of such depziation giuen by the Ordinarie to the Patron. 13. Eliz. 13. For Conuassance and discussing of the voidance of benefices appertaineth to the Judges of holy Church, and not to the lay Judge. An. 25. Ed. 3. 8. pro Clero.

Leases and other assurances of bishops lands.

6 Al gifts, grants, feoffements, fines, and other conueiances, or estates, from the first day of the Parliament begun 24. Ian. Anno Dom. 1558. had, made, done or suffered, or to be had, made, &c. by any Archbishop, Bishop, of any Honours, Castles, Manors, Lands, Tenements, or other Hereditaments, being parcell of the possession

possession of his Archbishoplike or Bishoplike, or united, appertaining, or belonging to any of the same, to any person (other then the Queene, her heires or successors) whereby any estate should or might passe from the Archbishop, or Bishop, or other then for terme of one and twentie yeeres, or three lynes, from such time as any lease, grant, or assurance shall begin, and whereupon the old accustomed yerely rent, or moze shall be reserved payable yerely, during the said terme of one and twentie yeeres, or three lynes, shall be utterly void, any Law, Custome, &c. notwithstanding.

1. Eliz. a statute not printed. Every Archbishop and Bishop within this Realme, and their and every of their successors, shall be for ever wholly and utterly disabled in law, to make, doe leaue, or suffer any act or acts thing or things, whereby, or by meanes whereof any of the honours, castles, manors, lands, tenements, or hereditaments, parcell of the possessions of his Archbishoplike or Bishoplike, or united, appertaining or belonging to any of the same, or any part of them, or any of them, shall or may be aliened, assured, given, granted, demised, or charged, or in any sort conveyed to our Soueraigne Lord the King, his heires, or successors: And all alienations, assurances, gifts, grants, leases, charges and conveyances whatsoever, to be done, suffered, or made to our said soueraigne Lord the King, his heires or successors, by any Archbishop, or Bishop, or their, or any of their successors, of, or out of any of the said possessions, or of, or out of any part or parcell of them, and all and every confirmation and confirmations of the same, shall be utterly void, to all intents and purposes: any former law, statute, or other thing to the contrarie notwithstanding. 1. Jac. 3.

No Bishop
shall assure his
land to the
King.

7 All Leases, Gifts, Grants, Feoffments, conveyances, or Estates to be made, had, done, or suffered, (viz. from 2. Aprilis, Ann. Dom. 1571.) by any Master and Fellowes of any Colledge, Deane and Chapter of any Collegiat or Cathedral Church, Master or Gerdein of any Hospitall, Parson, Vicar, or any other, having any Spirituall or Ecclesiasticall living of any houses, lands, tithes, tenements, or other hereditaments, being parcell of the possessions of any such Colledge &c. or any way belonging to the same, or of any of them, to any person or bodies politique or corporat, other then for the terme of xxi. yeeres, or three lynes, from the time of such Lease or Grant made, whereupon the accustomed yearely rent or moze shall be reserved, and yerely payable during the said terme, or whereof any former lease for yeares is in being not to be expired, surrendered, or ended, within three yeeres next after the making of any such new lease, shall be utterly void.

Assurances
made by Col-
ledges, Ca-
thedral Chur-
ches, Para-
sons.

13. Eliz. 10. 18. Eliz. 10. And every Bond and Covenant whatsoever, made for renewing or making of any lease, contrarie to the true intent aforesaid, shall be utterly void. 18. Eliz. 10. But this Act shall not be construed to make good any lease or other grant made by any Colledge or Collegiat Church within Oxford and Cambridge, or elsewhere, for moze yeares then are limited by the private statutes of the same Colledge. Neither shall this Act extend to any Lease hereafter to be made upon surrender of any Lease heretofore made, or by reason of any covenant or condition contained in any Lease heretofore made, and now continuing, so that the Lease to be made doe not containe moze yeares then the residue of the yeares of the former Lease now continuing, shall be at the time of such Lease hereafter to be made, nor any lesse rent then is reserved in the said former Lease. 13. Elizab. 10.

Colledges in
Oxford and
Cambridge.

And the President and Schollers of Saint John Baptists Colledge, founded by Sir Thomas White Knight, Aldermen of London, in the Universitie of Oxford, may from time to time demise the manor of Fishide, alias Fishfield, the Copiholds, and other appurtenances in the Countie of Bark. to Ralph White, brother to the said Sir Thomas White, for the terme of fourescore and nineteene yeares, if the said Ralph shall so long live, and so to every heire male of the said Sir Thomas successively, according to the forme of a Lease thereof already made to the said

New Leases
upon surrender
of old and for-
mer covenants

A Lease to
Ralph White
of the manor
of Fishfield.

Ralph.

Ecclesiasticall persons, and livings.

Certaine
wordes ex-
pounded.

Ralphe. And every such Lease so to be made, and everie covenant made or to be made for the performance of the same, shall be good in Law, as if the said Act made in the said thirteene yeare had never bene made, any thing in the said Act of 13. Eliz. or any other Act or matter &c. notwithstanding. 18. Eliz. 10. S. 14. Eliz. that it was enacted in a Statute not printed, that these wordes (viz. *Passer or Gardian of any Hospitall, mentioned in the former Act of 13. Eliz.*) were intended and meant of all Hospitals, Measons de dieu, Brad. houses, and other houses ordained for the sustentation or reliefe of the poore, and so shall be expounded and taken for ever.

Colledges &c.
may let cer-
taine lands
for xl. yeares.

8 But any of the persons, bodies politique, or corporat aforesaid, may grant, assure, or lease any houses belonging unto them, being not their Capital or dwelling house used for their habitation, nor having ground belonging unto them, above the quantitie of ten acres, nor any grounds to such houses appertaining, which be situate in any city, borough, towne corporat, or Park: or towne, or the suburbs of any of them, in such sort, as by the Lawes of the Realme, and the severall Statutes of their houses they may doe: so that no lease be made in reversion, nor without reserving the accustomed yearly rent at the least, nor without charging the lessee with the reparations, nor for longer time then xl. yeares at the most. For any houses of the said Colledges, bodies politique &c. shall be aliened, vntlesse that in recompence thereof, there shall be before, with, or presently after such alienation, good, lawfull & sufficient assurance made absolutely in fee simple, to such Colledges &c. and their successors, of lands of as good value, and as great yearly rent at the least, as so shall be aliened. 14. Eliz. 11. 1. Jac. 25. To endure vntill the end of the first Session of the next Parliament.

Colledges
may not alien
their lands,
except they
have sufficient
and present
recompence.

Leases of be-
nefices with
cure.

9 No Lease made of any benefice or Ecclesiasticall living with cure, or any part thereof, and not being impropried, shall endure any longer, then while the lessour shall be ordinarily resident, and serving the cure of such Benefice without absence above fourescore daies in any one yeare: But every such Lease immediately vpon such absence shall cease and be void, and the Incumbent so offending, shall for the same lose one yeares profits of his said Benefice, to be distributed by the Ordinarie amongst the poore of the Parish. 13. Eliz. 20. And after complaint made to the Ordinarie, and sentence given vpon any offence committed by the Incumbent, whereby he shall or ought to lose one yeares profit of his Benefice, the Ordinarie within two moneths after such sentence given, and request made by the Church-wardens of the same Parish, or one of them, shall graunt the Sequestration of such profits to such inhabitant or inhabitants within the Parish where such Benefice shall be, as to him shall seeme meet: and vpon default therein by the Ordinarie, it shall be lawfull to every Parishioner, where the Benefice is, to retaine his Tithes, and likewise for the Church-wardens of the said Parish to enter and take the profits of the Glebe-lands, and other rents and duties of everie such Benefice, to be employed to the use of the poore, as aforesaid, vntill Sequestration shall be committed by the Ordinarie, and then as well the Church-wardens as the Parishioners shall yeld account of, and make payment to him, or them, to whom such Sequestration shall be committed. And he or they, to whom such Sequestration shall be committed, from time to time shall iustly and truly bestow the said profits, or the iust value thereof without fraud, to such uses as by the said Statute is appointed, vpon paine of forfeiture of the double value of such withhelden profits, to be recovered in the Ecclesiasticall Court, by the poore of the said Parish, 18. Eliz. 10. 1. Jac. 25.

Sequestratio
granted by the
Ordinarie.

Parishioners
may retaine
their tithes.

Bands, con-
tracts &c. for
the enjoying
of benefices.

10 All Bands, Contracts, Promises, and Covenants made for suffering any person to enjoy any Benefice or Ecclesiasticall promotion with cure, or to take profits or fruites thereof (other then such Bands and Covenants as shall be made for assurance

assurance of any Lease heretofore, viz. before the Statute made) shall bee to all intents adiudged of such force, and no otherwise, as Leases made by the same persons of such Ecclesiasticall promotions, with cure. 14. Elizab. 11. All iudgements hereafter to bee had for that intent, to haue or enioy any Lease contrarie to the said Statutes, or any of them, shall be deemed void, in such sort as Bands and Covenants are appointed to be void, which are made for that purpose. 43. Eliz. 9. 1. Iac. 25.

Indgements
giuen for the
improyng of
leases.

11 Cuerie person allowed by the lawes of this Realme, to haue two benefices, may demise one of them, vpon which he shal not be ordinarily resident, to his curat, which shall serue the cure for him: which lease shall endure no longer than during such Curats residence, without absence aboue xl. daies in any one yeare. 13. Eliz. 20. 1. Iac. 25.

Demise of a
benefice to a
Curate.

12 All Leases, Bands, Promises, and Covenants, of, and concerning Benefices, and Ecclesiasticall Livings with cure, to be made by any Curate, shal be of no other, nor better force, validitie, or continuance, than if the same had beene made by the beneficed person himselfe, that demised the same to his Curate. 14. Elizab. 11. 1. Iac. 25.

Bands, con-
tracts &c.
made by a
Curate.

13 All chargings of benefices with cure, with any pension, or with any profit out of the same, to bee yelded or taken (other than rents reserued vpon leases to be made according to the meaning of this act) shal be void. 13. El. 20. 1. Iac. 25. to continue to the end of the first Session of the next Parliament now next ensuing.

Charging of
Benefices.

14 No spirituall person shall take to farme to himselfe, or to any person to his vse, of the lease or grant of the B. or any other person or persons, by letters patents indentures, writings, by word or otherwise, by any maner of means, any manors, lands, tenements, or other hereditaments, for terme of life, yeares, or at will, vpon paine to forfeit for euerie moneth that he, or other to his vse, doe occupie such farme by reason of any such graunt or lease r. l. to the B. and J. to bee recovered by A. B. P. J. wherein no M. C. P. &c. except the Temporalities of an Archbishoppicke, Bishoppicke, or Collegiall, Cathedra, or conuentuall Church, and lands, to be letten vpon a Trauers tendred after an office found concerning his freehold, and a dwelling house hauing but only orchards and gardens, in any citie, borough, or towne, for his owne habitation, all which a spirituall person may take to farme (but by the said dwelling house he shall haue no colour of Non-residence) And also except Presidents, and Masters of Colledges, hauing lands or other yearely profits, in the right of their houses, vnder, and not aboue eight hundred markes, which may occupie as much of their demeane lands, see farmes, and farmes, to their most profit, for the only maintenance of their households, as they or any of their predecessours, at any time by the space of an hundred yeares, before the making of this Act, might haue done. And all spirituall persons hauing Lands or other Premises in the right of their houses, aboue the yearely value of eight hundred markes, may keepe, and retaine in their occupation and manurance, as much of their said lands and other possessions, as shall be necessarie and sufficient for pasturage of their cattell, and for tillage of cozne, to bee imployed and spent for the maintenance and keeping of their households and hospitalities without fraud or couin. 21. H. 8. 13. Whether a lease made to a spirituall person, or to any other to his vse for terme of life, yerres, or at will, of any lands &c. whereof he taketh the profit &c. be void by this Statute, or not, See Stat. & Quære. Vide Dyer fol. 135. that the lease is not void.

Taking of
farmes.

Quære.

15 If any spirituall person do by himselfe, or any other for him to his vse, bar, gaine and buy to sell againe for gaine, in any Markets, Faires, or other places, any maner of cattell, cozne, lead, tinne, hides, leather, tallow, fish, wooll, wood, or any manner of vitaille, or merchandize, of what kind soeuer they be, he shall for the tre-

Buying and
selling.

Ecclesiasticall persons, and liuings.

ble value of the things so bought to sell againe, to the B. and J. to be recovered by A. B. P. J. &c. wherein no W. C. P. &c. And also the said bargain and contract shall be utterly void. But a spirituall person which without fraud buyeth any houses, cat- tels, goods, &c. with only intent at the buying thereof to imploy the same to the ne- cessarie apparell of himselfe, his seruants, or house, or for the only occupying or ma- nuring of his glebe or demesne lands annexed to his church, or for the necessarie ex- pences of his household, and after the buying or exercising thereof, mislike the same, that they should not be good, profitable, and conuenient, for any of the purposes a- bouesaid, for which they were bought, then he may lawfully bargain and put them away. And also other spirituall persons not having sufficient glebe or demesne lands in their owne hands, in the right of their churches, houses, &c. for pasturing of cattel, or for increase of coze, for the only expences of their households, or for their carriages and iourneys, may take in farme other lands, and buy & sel coze and cattell for the only manurance, tillage, & pasturage of such farms, so that the increase thereof be al- waies imployed for the only expences in their households, & not to buy & sell againe for any other commoditie, but only the ouerplus of such coze & cattell aboue the ex- pences of their households, if any such shall happen to be bzed & increased thereof with- out fraud or couin. 21. H. 8. 13.

In what ca- ses Spirituall persons may take lands in farme.

A spirituall person shall not occupie a par- sonage or vicarage in farme.

A spirituall person shall not keepe a vicar house, or vicar house.

Pluralities.

Which shall not be said be- nefices with cure of soule.

These may haue plurali- ties by their seruice.

16 If any spirituall person beneficed with cure, do occupie by himselfe, or any other to his vse, any parsonage or vicarage in farme of the lease or graunt of any other per- son, or take any profit or rent out of such farm, he shall for. xl. s. for every weeke, that he, or any to his vse shall occupie any such farm: And also shall for. ten times the va- lue of such profit or rent which he shall take out of any such farme, to the B. & J. to be recovered by A. J. wherein no W. C. P. &c. 21. H. 8. 13.

17 If any spirituall person shall haue, vse, or keeps, by himselfe, or any other to his vse or commoditie, any Tan-house to be occupied to his vse or commoditie, or any vicar house, to any other intent than only to be spent & occupied in his owne house, he shall for. s. for every moneth so vsing or occupying any of the said mysteries &c. to the B. & J. to be rec. by A. J. &c. wherein no W. C. P. &c. 21. H. 8. 13.

18 If any person having one benefice with cure of of soule, being of the yearely value of big. l. or aboue, doth accept another with cure of soule, and bee instituted, and inducted in possession of the same, then immediatly after such possession had thereof, the first benefice shall be adindged in the law to be void. And euerie Patron hauing the aduocation thereof, may present another, and the presentee shall haue the benefit of the same, as though the Incumbent had died, or resigned. But no Deanry, Archdeaconrie, Chancelorship, Treasurer'ship, Chanter'ship, or Prebend, in any ca- thedral or collegiat church, nor parsonage that hath a Vicar indowed, nor any be- nefice perpetually appropiat, shall be taken vnder the name of a benefice with cure of soule. 21. H. 8. 13.

19 But all spirituall men of the Kings Councell may purchase licence or dis- pensation, and take, receiue, and keepe thzee Parsonages, or Benefices with cure of soule. And all other spirituall men not swozne of his Councell, which bee Chap- leines to the B. or D. Prince, Princess, or to any of the Kings childzen, brethern, sisters, vncl'es, or aunts, may purchase licence or dispensation, and receiue, & keepe two benefices with cure of soule. And euery Archbishop may haue big. chapleines, euerie other Bishop six, euery Duke six, euerie Marquesse and Earle five, euerie Vicount foure, the Chancelor of England thzee, euery Baron and Knight of the Garter thzee: euery Dutchesse, Marquesse, Countesse, Baronesse (being wi- dowes, or which haue taken any husband vnder the degree of a Baron) two: The Treasurer and Comptroller of the Kings house two, the Kings Secretarie two, the Deane of the Kings Chappell two, the Kings Annor two, the Master of the Rolles two, the chiefe Justice of the Kings Bench one, the Warden of the Exchequer

For one Chapleine: euerie of which Chapleines may purchase licence, and receiue, haue & keepe, two parsonages or benefices with cure of soule. But the Chapleines so purchasing, receiuing & keeping benefices with cure of soule, be bound to haue, and exhibit where need shall be, letters vnder the seale and signe of the B. and other their Lord & master, testifying whose Chapleines they be, or else not to enioie any such pluralitie of benefices. And if any person to whom any Chapleines be limited by this act, shall by colour hereof, aduance any spirituall person, aboue the number to him appointed, to receiue any moe benefices with cure of soule, than is befoze limited, then the spirituall person so aduanced aboue the said number, shall incur the penaltie contained in this act. 21. H. 8. 13.

Exhibiting
letters vnder
their Lordes
seales.
aduancing
moe Chap-
leines than is
allowed.

20 Euerie brother, or sonne of any tempozall Lord bozne in wedlocke, may purchase licence, or dispensation, and receiue, haue, and keepe as many benefices with cure, as the chapleines of a Duke or Archbishop: and euerie brother and sonne of a Knight, bozne in wedlocke, and euerie Doctor and Batchelor of Diuinity, Doctor and Batchelor of law Canon, which be admitted to the said degrees, by any of the Vniuersities of this Realme, and not by grace only, may purchase licence, & take for two benefices with cure of soule. 21. H. 8. 13. And all Suffragans which shall exercise the said office of Suffragans, by commission of the Bishop, may haue two benefices with cure. 26. H. 8. 14. 1. Eliz. 1. But the said libertie giuen to any of the persons aforesaid, to purchase licence, or dispensation, and receiue and keepe moe benefices than one, shall be vnderstanded, to extend in number to no moe benefices with cure of soule than is aboue limited: Saving that the B. may giue to any one of his chapleines, being spirituall persons, what number of benefices or promotions spirituall be will. And also he may grant licence to any of them for Non-residence, and the said chapleines may accept the same, without incurring any penaltie. 21. H. 8. 13.

Pluralities
by birth or de-
gra.

Suffragans.

B. Chapleins

21 Euerie spirituall person promoted to any Archdeaconrie, Deaunie, or Dignitie in any Cathedrall church, or other church conuentuall, or Collegiall, or beneficed within any Parsonage, or Vicarage, shall be personally resident in, at, and vpon his said dignitie, prebend, or benefice, or at one of them at the least. And if any such spirituall person do not keepe residence at one of his said dignities, prebend, or benefice, but absent himselfe wilfully by the space of one moneth together, or by the space of two moneths, to be accompted at severall times in any one yere, and make his residence and abiding in any other places by such time, then he shall forfeit for euerie such default r. l. to the B. and A. to be recouered by A. B. B. A. &c. wherein no W. C. P. &c. 21. H. 8. 13.

Residence.

22 The statute of Non-residence shall not extend, nor bee preiudiciall to any spirituall person being in the B. service beyond the sea, nor to any person going to any pilgrimage or holie place beyond the sea, during the time of their service and pilgrimage, and going and returning home, nor to any Scholler vnder the age of 21. yeares, being conuersant and abiding for study (without fraud) at any Vniuersitie within this Realme or without. 21. H. 8. 13. So that the said Scholler be present at the ordinarie lecture, aswel at home in their houses, as in the common schooles, & in his proper person keepe Sophisms, Problemes, Disputations, or other exercises of learning, & be opponent & respondent in the same, according to the ordinances and statutes of the Vniuersities where &c. For to any scholler, of, or aboue the age of 21. yeares, being conuersant in any of the said Vniuersities, which is Chancelor, vice-chancelor, or Commissarie of any of the said Vniuersities, or Warden, Deane, Prior, President, Rector, Master, Principall, or other head ruler of a Colledge, Hall, &c. or Doctor of the Chaire, or Reader of Diuinitie in the common schooles, or Reader of any common lecture in Diuinitie, law Ciuill, Physicke, Philosophie, Humanitie, or any of the liberall sciences, or common Interpreter, or Teacher of the Hebrew, Chaldee, or Greeke tongue in any Colledge, or other place of the said

Who may be
discharged of
residence, & by
what meanes

Ecclesiasticall persons, and livings.

Universities: For to any person above the age of xl. yerres, which shall resort to any of the said Universities to proceed Doctor in Divinitie, law Civill, or Physicke, for the time of his proceeding & executing of such Sermons, Disputations, & Lectures, which by the Statuts of the University he is bound unto for the said degree. 28. H. 8. 13. Neither shall this Statute extend to any chapleines of the B. D. Prince, Princess, B. or D. children, brethren, or sisters: nor to any chaplein of any Archbishop, Bishop, spirituall or temporall L. of the Parliament, Duchesse, Marquesse, Countesse, Vicountesse, Baronesse (being widowes, or married againe &c.) Lord Chancellor, or Treasurer of England, the B. Chamberlaine, or Steward of his household, or of the Treasurer or Controller of the kings house: For to any chapleine of any Knight of the Garter, chiefe Justice of the Kings bench, Warden of the fine ports, Master of the Rolles, the B. Secretarie, Deane of the B. Chappell, or of the B. Chamber, attending daily in the household of the foresaid persons, during the time that any such chapleine shall abide and dwell in any of the said households. 21. H. 8. 13. Neither shall this Statute of Nonresidence be prejudiciall to any one chapleine of any of the Judges of the B. bench, or of the common pleas, of the Chancellor, or chiefe Baron of the Exchequer, of the B. Attorney, or generall Solicitor, but every of them may have one chapleine in his house, or attendant on his person, having one benefice with cure of soules, which may be absent and not resident. 25. H. 8. 16. Neither doth this Statute extend to any one Chapleine of the Chaunceloz of the Duchie of Lancaster, or of the Master of the B. Wards & Liveries, or of the Treasurer of the B. chamber, or of the Groome of the stole: Every of which may retaine singularly in his house, or attendant unto his person one chapleine having one benefice with cure of soule, which may be absent from his benefice and Nonresident. 33. H. 8. 28. Neither shall this Statute of Nonresidence be prejudiciall to the Master of the Rolles, or Deane of the Arches, nor to any chaunceloz or commissarie of any Archbishop or Bishop, nor to as many of the twelve Masters of the Chauncerie, and twelve Advocates of the Arches as be spirituall men, during the time they shall occupie their roomes: For to any spirituall person, which shall by Injunction of the Lord Chaunceloz, or the B. Councell, be bound to daily apparance, to answer the law, during the time of such Injunction. 21. H. 8. 13: And the residence of him which shall be Suffragan over the Diocese, where he shall have commission, shall serve him for his residence as sufficiently, as if he were resident upon any other his benefice. 26. H. 8. 14. 1. El. 4.

These Chapleines must sometime resort to their cure.

23 If any chapleine of the Chaunceloz of the Duchie of Lancaster, of the Master of the Wards and Liveries, of the Treasurer of the B. Chamber, or of the Groome of the stole, which is licenced to be absent and not resident upon his benefice, doth not repaire two times in every yeare at the least to his benefice and cure, and there tarie 8. daies at the least at every time, to visit and instruct his cure, he shall forfeit xl. s. for every time so failing, to the B. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 33. H. 8. 28. Such Clerkes as attend in the B. service, shall be corrected by their Ordinaries, as others be: but so long as they are occupied about his businesse, they shall not be bound to keepe residence in their churches. Artic. Cleri 9. E. 2. 8.

First fruits.

24 If any person being elected, presented, presented, nominated, collated, or appointed to any Archbishopricke, Bishopricke, Colledge, Hospitall, Archdeaconrie, Deanrie, Monasthip, Prebend, Parsonage (exceeding the yerely value of x. marks, after the value upon the records and booke of rates and values for the first fruits and tenths remaining in the Exchequer) Vicarage (exceeding the yearely value of x. l. after the same rate) or other dignitie, benefice, office, or promotion (spirituall, within any of the Kings dominions (the Deane and Canons of the chappell of St. George within the castle of Windsor, and all the possessions and hereditaments of the

the same chappell, the Universities of Cambridge and Oxford, and certaine colleges and hals therein, and the colleges of Eaton and Winchester except) doth not before the actual 02 reall possession 02 medling with the profits thereof, satisfie, consent, and pay, 02 compound, 02 agree to pay to the R. vse, at reasonable daies, vpon good sureties, the first fruits, reuenues, and profits, for one yere of the said dignitie 02 promotion spirituall (which yere shall begin and be accompted immediatly after the vacation 02 auoidance of the said promotion. 28. H. 8. 11.) and is thereof conuict by presentment, verdict, confession, 02 witnesses, before such as haue authority to compound for the said first fruits, he shall be taken an Intruder vpon the R. possession, and he, his executors 02 administrators shall pay to the R. vse, for euery such offence, so much money as shall amount to the double value of the first fruits of the spirituall promotion for one yere, wherein he shall enter and intrude before the payment of the said first fruits, 02 agreemēt for the same. 26. H. 8. 3. 1. El. 4. For the court of first fruits. S. 32. H. 8. 45.

25 All writings obligatorie, taken for the payment of the said first fruits by any person deputed to compound for the same, be of the same strength, quality and effect to all intents, as writings obligatorie made by any lay person by authority of the stat. Staple bin. And no person shall be compelled to pay for any writings obligatorie to be made, for the payment of the said first fruits, above 8. d. nor for any acquitance for the receipt thereof, above iiij. d. 26. H. 8. 3.

Obligations for first fruits.

The law.

26 But euery person named, presented, 02 by any meanes appointed to any dignity 02 promotion spirituall, shall at his composition and entry into specialty for the payment of his first fruits, haue allowance and deduction of the x. part of the whole, out of the summe to be paid for the said first fruits, for the yere wherein he shall be first nominated, presented, 02 by any other meanes appointed to any such dignity 02 promotion spirituall, according to the iust rate & taxation of the x. of euery such promotion spirituall. And then he shall pay vnto the R. his heirs & successors the said x. part of the said first yere. If the successor of any Incumbent shall be charged to pay to the R. any summe of money due for the tenth, in the time of the predecessor, then he may distrain the goods of his said predecessor, 02 of his executors 02 administrators, and sell so much thereof within xij. days, as will satisfie him. And if hee 02 they haue no goods vpon the said dignitie, he may take his remedy in the Chauncerie against his said predecessor, his executors, 02 administrators. 27. H. 8. 8.

The tenths shall be deducted forth of the first fruits.

Tenths due by the predecessor.

27 If any Incumbent of any spirituall promotion, chargeable to pay the first fruits, doth liue to the end of one halfe yere next after the last auoidance of the said promotion, so as he hath, 02 without conin might lawfully haue receiued 02 enioied the rents 02 profits of that halfe yere, and before the end of the other halfe yere then next following doth die, 02 is lawfully euicted, removed, 02 put from the said promotion spirituall, by iudgement in an action at the common law, without fraud 02 conuin, then he, his heires, executors, administrators, and sureties, shall be charged but only with the iij. part of the first fruits due to be paid for his said promotion, & with no more of the said first fruits: any thing in this act, any bond 02 writing, 02 other matter notwithstanding &c. If the Incumbent liue by the space of one whole yere next after the last auoidance of the said promotion spirituall, and then before the end of one halfe yere then next after shall fortune to die, 02 be lawfully euicted, removed, &c. then he, his executors, 02 &c. shall be charged but only with the moiety of the first fruits &c. and with no more. If the Incumbent liue to the end of one whole yere & a halfe next after the last auoidance &c. and then before the end of six moneths then next following shall fortune to die, 02 be lawfully euicted, &c. Then he, 02 &c. shall be charged but only with thre parts of the first fruits of the same promotion spirituall in foure to be diuided, and with no more. If the Incumbent doth liue to the end of two whole years next after the last auoidance of the same his promotion spirituall,

The rate how by death 02 euiction the incumbent shall be discharged of the first fruits 02 part thereof.

Ecclesiasticall persons, and livings.

and not be lawfully evicted, removed, or put from the same &c. then he, his heirs, executors, administrators, and sureties, shall be charged with the whole first fruits. 1. Eliz. 4.

Tenths.

28 Every Archbishop, Bishop, Archdeacon, Deacon, Prebendarie, Parson, Vicar, and other, having any benefice or promotion spirituall, in England, or Wales, shall yearly pay to the King, his heirs and successors, at the feast of the Nativitee of our Lord, one yearly rent or pension, amounting to the value of the tenth part of all the revenues, rents, farmes, tithes, offerings, and emoluments, and all other profits, as well spiritual and temporall, belonging to any of the said dignities or promotions (which tenth every of them shall be charged to pay in the proper Diocess where they be, wheresoever their possessions and profits do lie) & which tenth every Archbishop and Bishop is charged to levie, collect, and receive within his proper Diocess, as well in places exempt, as not exempt, and they, their executors, and administrators, and the possessions of their churches, shall stand charged for the payment of such sums as they shall collect. And when the see is void, then the deane and chapter of the cathedrall church where &c. their executors, administrators, and possessions shall be charged for the execution of this act, within the said diocess. But this act doth not charge any hospitall founded and blessed, and the possessions thereof employed to and for the reliefe of the poore, or any schoole, or the possessions of them with the payment of any tenths, or first fruits. 26. H. 8. 3. 1. El. 4. 24. H. 8. 17. S. 23. H. 8. 47. The Bishop of Norwich shall collect the tenth within his Diocess.

The Bishops Collectors of tenths.

Hospitall. Schoule.

The penaltie for default of payment of the tenths.

29 If any summe of money being once due, by any Incumbent, of any dignitie, benefice, or promotion spirituall, charged to the payment of the said tenths, be reasonably demanded after the feast of the Nativitee of our Lord God, at his dignitie or church, by the Archbishop, Bishop, or such as shall be charged with the collection of any part of the said pension, or by any of their ministers, servants, or officers, and the said Incumbent doth not content and pay the same unto the said archbishop, bishop, or other ministers, every yeare yerely at the request thereof, or else within 21. days after at the furthest: Then every Incumbent making such default after the default certified into the Kings Exchequer in writing, vnder the seales of the Archbishop, Bishop, or such as be charged with the collection of the said tenth, shall be adjudged deppined (ipso facto) of that dignitie or benefice only, whereof such certificat shall be made. 26. H. 8. 3. 2. E. 6. 20. And the said Archbishop or Bishop making such certificat (before or at the last day of May. 7. E. 6. 4.) shall be discharged against the King for such summe of money as the said Incumbent should have paid. 26. H. 8. 3. And also the said Archbishops, Bishops, and any of their deputies, and other accountants authorized to account for them, upon their accounts of and for the said yearly tenth, shall be discharged upon their oaths, of payment of such summes of money of the said annuall rent or tenth as they cannot lawfully levie. 32. H. 8. 22. S. Exchequer 9.

The fruits taken in the vacation restored to the next Incumbent.

30 If any Bishop, Archdeacon, Prebendarie, or other person to his use, do receive or take the fruits, tithes, oblations, commodities, revenues, rents, profits, or casualties, comming, or growing, or belonging to any Archdeaconrie, Deanrie, Prebend, Parsonage, Vicarage, Wardenhip, Rectorship, or other spirituall promotion, benefice, dignitie, or office, during the vacation of the same, and upon reasonable request made, doe not restore and pay the same to the next Incumbent, being lawfully instituted, inducted, or admitted to such Archdeaconrie, Parsonage, or Promotion, or doth let or interrupt the said Incumbent to have the same: Then he shall forfeit the treble value of so much as he shall have received of the said fruits, or hath let or interrupted the Incumbent to receive and take of the said fruits, tithes, &c. to the King and the Incumbent &c. to be recovered by A. J. &c. wherein no Writ. C. B. &c. For every person presented, promoted, admitted, instituted, or inducted,

to

to any promotion spirituall, and his executors, shall haue the tithes, fruits, oblations, and all other whatsoeuer reuenues, casualties and profits, certaine and vncertaine, belonging to the said promotion, growing, rising, or coming, during the vacation of the same promotion (sauiing that if the first Incumbent haue some any part of his glebe lands, he may declare his Testament of the profit of the Cozne growing vpon the same.) And also the Bishop, Archdeacon, Ordinarie, or their Spiniffers, may retaine in their custodie so much of their Tithes, fruits, and other commodities, as shall amount to pay such person as hath serued the Cure during the vacation, his reasonable stipend, and also for the gathering and teuping of the tithes, fruits, and profits, rising and growing during the vacation. If the fruits of the vacation of such spirituall promotion be not sufficient to pay the Curats stipend and wages for seruing the Cure the vacation time, then the same shall be bozne and payed by the next Incumbent within iiii. daies after he hath the possession of the said spirituall promotion. And also the yeare in which the first fruits shal be paid to the king, shall begin, and be accompted immediatly after the auoidance or vacation of such benefice or promotion. 28.H.8.11.

The Incumbents benefice & charge shall begin during the vacation.

31 An vnion or consolidation of two Churches in one, or of a church and a chappell in one, the one of them not being aboue the perye value of vij. l. as it is valued at to the B. in his Erchequer, and not distant from the other aboue one Mile in any place within this Realme of England, may be had or made by the assent of the Ordinarie and Ordinaries of the Dioces where such Churches and Chappells stand, and by the assents of the Incumbents of them, and of al such as haue iust right, title, and interest to the patronages of the same, being then of full age. And such vnions and consolidations made of two Churches in one, or of a Church and Chappell in one, shalbe good and available in the law to continue for ever vnited in one, in such maner and forme, as by wryting vnder the seale of such Ordinaries, Incumbents, and Patrons, it shalbe declared: alwaies sauiing to the B. the tenths and first fruits of all such Churches and Chappells as shall be vnited in one, according to such like rates as the same are now rated at in the Erchequer. 37.H.8.21.1.El.4.

Union of two Churches.

32 But all vnions and consolidations to be made of any Church or Chappell, within any city or towne corporat within England, without the assent of the Mayoys, Shyryfes, and Commynaltie of the Citie, or without the assent of such bodies corporat of other Towns corporat, where such Churches, Church or Chappell shall be, by the names of their Corporations in wryting vnder their common seale, shall be clearely void. 37.H.8.21.1.Eliz.4. For vnion of Churches in Yorke. S. 1. Ed.6.9.

Union in corporat Townes.

33 Provided, that where the inhabitants of any such pooze Parish, or the moze part of them, within one yeare next after the vnion of the same Parish, by their wryting sufficient in the law, shall assure the Incumbent of the said Parish for the yearely payment of so much money, as with the summe that the said Parish is valued at in the Erchequer shall amount to eight pounds, to be payed yearely by the said Inhabitants to the said Incumbent, and his successors, then all such vnions and consolidations to be made of any such pooze Parish shalbe void. But this proviso shall not extend to any vnion of any Church or Chappell made befoze the making of this Statute 38.H.8.21.1.Eliz.4. Anno 15.R.2.6. & 4.H.4.12. It was ordained that in euery Licence which should be made out of the Chancerie to appropriate any parish church, it should be expressely contained, that the Diocesan of the place where the appropriation of any such Church should be, should appoint according to the value of the Church, a conuenient summe of money to be paid and distributed yearely of the fruits and profits of the same Church, to the pooze Parishioners of the same parish in aid and maintenance of their livings. And that there should be also a vicar ordained by the Ordinarie, which should be well & sufficient

The vnion as voided vpon a competent living assured:

Appropriatio

A Vicar.

Ecclesiasticall persons, and livings.

ly endowed, so that he might do diuine seruice, instruct the people, and keepe hospitals there.

In what cases trees may be cut downe in Churchyards.

34 Forasmuch as the Churchyard is the soyle of the Church, & whatsoever is planted belongeth to the soyle, it must needs follow, that those trees which be growing in the Churchyard are to be numbred amongst the goods of the Church, the which lay men haue no libertie to dispose: But because those Trees be planted to defend the force of the wind from hurting the Church, the Parsons of Churches shall not presume to cut them downe vnadvisedly, but when the Chauncell of the Church hath need of necessarie reparations: Neither shall they be conuerted to any other vse, except the bodie of the Church doth need like repaire, in which case the Parsons of their charity shal do wel to relieue the parishioners with the same trees 35. Ed. 1. Ne Restores prostrant arbores in Cemiterio. This is not aptly to be termed a statute, but rather a request, counsell, or aduertisement of K. E. 1. Ideo Quære for the validitie thereof.

Reconery and conueiance in a tempozall court of a spirituall living.

35 S. Tiches 23. In all cases where any person hauing estate of inheritance, freehold, term, or interest in any parsonage, vicarage, or other ecclesiasticall profit made tempozall, shalbe wrongfully put out of the same, he may haue his remedy in a tempozall court by originall writ out of the Chancery: And also writs of couenant, and other writs for fines to be leuied of Parsonages, Vicarages, &c. shalbe sued out of the Chancery, and iudgements giuen and fines leuied of the same be good and effectual in law.

Taking reward for his voice in electing a fellow, scholar, &c.

36 If any person or persons, bodies politique or corporate, which haue election, presentation, or nomination of any Fellow, Scholler, or any other person, to haue roome or place in any Churches collegiat, Colleges, Scholes, Hospitals, Halls, or Societies, shall haue, receiue, or take any money, fee, reward, or any other profit directly or indirectly, or shall take any promise, agreement, couenant, bond, or other assurance, to receiue or haue any money, fee, reward, or any other profit directly or indirectly, either to him or theselues, or to any other of their, or any of their friends for his or their voice or voices, assents or assents, or consents, in electing, chusing, presenting, or nominating any officer, fellow, scholer, or other person to haue any roome or place in any the said Churches, Colledges, Halls, Scholes, Hospitals, or Societies, When & from thenceforth, the place, roome, or office, which such person so offending, shal then haue in any the said churches, colledges, scholes, halls, hospitals, or Societies, shalbe void. And then aswel the other heirs and successors, & euery other person and persons, or their heirs or successors to whom the presentation, donation, gift, election, or disposition, shal of right belong or appertaine of any such of the said roomes or places of the said person offending as aforesaid, shal or may at their pleasure, elect, present, nominate, place, or appoint any other person or persons in the roome, office, or place of such person or persons so offending, as if the said person or persons so offending then were naturally dead. 31. El. 6.

Gining or taking of money for resigning a place.

37 If any Fellow, Officer, or Scholler of any the said Churches, Colledges, Scholes, Halls, Hospitals, or Societies, or other persons hauing roome or place in any of the same, shall at any time hereafter, directly or indirectly, take or receiue, or by any way, deuice, or meanes, contract or agree to haue or receiue any money, reward, or profit whatsoever, for the leauing or resigning by of the same his roome or place for any other to be placed in the same: When euery person so taking or contracting, or agreeing to take or haue any thing for the same, shall for double the sum of money or value of the thing so receiued and taken, or agreed to be receiued or taken. And euery person by whom or for whome any money, gift, or reward, as aforesaid, shalbe giue or agreed to be paid, shalbe vncapable of that place or roome for that time or terme, and shal not be, nor had, nor taken to be a lawful Fellow, Scholler, or Officer of any the Churches, Colledges, Halls, Hospitals, Scholes, or Societies, or to haue

haue such roome or place there: But they to whom it shall appertain at any time thereafter, shall & may elect, chuse, present, and nominate any other person fit to be elected, presented, or nominated into the said roome or fellowship, as if the said person, by, or for whom any such money, gift, or reward, shall be giuen or agreed to be payd, were dead, or had resigned and left the same. 31. El. 6.

38 At the time of euerie election, presentation, or nomination of Fellowes, Schollers, Officers, and other persons to haue place in any of the said Churches, &c. as wel this present act, as the orders and statutes of the same places, concerning such election, presentation, or nomination to be had, shall then & there be publickely read, vpon paine that euery person in whom default thereof shall be shall forfeit xl. s. The one moiety whereof shall be to him or them that wil sue for the same, the other moiety to the vse of the said church, colledge, hall, hospital, schole, or societie where such offence shall be committed, to be recouered in any her Maiesties courts of Record, by any person or persons, bodies politike & corporat, that wil sue for the same by A. B. C. wherein no W. C. P. &c. 31. El. 6.

At euerie election this statute, & the statutes of the house shall be read.

39 If any person or persons, bodies politike or corporat, shall or do for any sum of money, reward, gift, profit, or benefit, directly or indirectly, or for, or by reason of any promise, agreement, graunt, bond, covenant, or other assurance, of, or for any summe of money, reward, gift, profit, or benefit whatsoever, directly or indirectly, present or collate any person to any benefice with cure of Soules, dignitie, prebend or living Ecclesiasticall, or giue or bestowe the same, for, or in respect of any such corrupt cause or consideration, then euerie such presentation, collation, gift, and bestowing, and euerie admission, institution, inueſture, and induction thereupon, shall be utterly void, frustrate, and of none effect in law. And it shall and may be lawfull, to and for the R. her heires & successours, to present, collate vnto, or giue, or bestow euery such benefice, dignitie, prebend, and living Ecclesiasticall for that one time or turne onely. And all and euerie person or persons, bodies politike and corporat, that from henceforth shall giue or take anie such summe of money, reward, gift, or benefit, directly or indirectly, or that shall take or make any such promise, graunt, bond, covenant, or other assurance, shall forfeit the double value of one yeares profit of euerie such benefice, dignitie, prebend, & living Ecclesiasticall to the R. & I. to be rec. by A. B. C. wherein no W. C. P. &c. And the person so corruptly taking, procuring, seeking, or accepting any such benefice, dignitie, prebend, or living, shall therupon & from thenceforth be adiudged a disabled person in law, to haue or enioy the same benefice, dignity, prebend or living ecclesiasticall. 31. El. 6.

Presenting or collating to a benefice for reward.

40 If any person shall for any summe of money, reward, gift, profit, or commodity whatsoever, directly, or indirectly (other than for vsuall and lawfull fees) or for, or by reason of any promise, agreement, graunt, covenant, bond, or other assurance, of or for any summe of money, reward, gift, profit, or benefit whatsoever, directly or indirectly, admit, institute, install, induct, inueſt, or place any person in, or to any benefice with cure of Soules, dignitie, prebend, or other living Ecclesiasticall: then euery such person so offending, shall forfeit the double value of one yeares profit of euerie such benefice, dignitie, prebend, and living Ecclesiasticall to the R. and I. to be recouered by A. B. C. wherein no W. C. P. &c. And thereupon immediately from and after the inueſting, installation, or induction thereof had, the same benefice, dignitie, prebend, and living Ecclesiasticall shall be effrones meere void: And the patron or parson to whom the Aduowson, gift, presentation, or collation shall by law appertain, shall and may by vertue of this Act, present or collate vnto giue and dispose of the same benefice, dignitie, prebend, or living ecclesiasticall, in such sort to all intents and purposes, as if the partie so admitted, instituted, installed, inueſted, inducted, or placed, had bene, or were naturally dead. But no title to conferre or present by Lapse, shall accrue vpon any voidance mentioned in this

Admitting to a benefice for reward.

Lapse.
Act

Ecclesiasticall persons, and livings.

Act, but after six moneths next after notice giuen of such voidance by the Ordinary to the Patron. 13.El.6.

Corrupt re-
signing or ex-
changing of a
Benefice.

41 If any Incumbent of any benefice with cure of soules, do or shall corruptly resigne or exchange the same, or corruptly take, so, or in respect of the resigning or exchanging of the same directly or indirectly, any pension, summe of money, or benefit whatsoever, then as well the giuer as the taker of any such pension, summe of money, or other benefit corruptly, shall lose double the value of the sum so giuen, taken, or had, to the D. & J. to be recovered by A.B.J. wherein no Wl.C.P. 31.El.6.

Ecclesiasticall
penalties not
restrained by
this act.

42 This act shall not extend to take away or restraime any punishment, paine, or penaltie, limited, prescribed, or inflicted by the Lawes Ecclesiasticall, for any the offences befoze in this act mentioned, but the same shall remain in force, and may be put in due execution, as it might be befoze the making of this act: this act &c. notwithstanding. 31.El.6.

Rewards for
making of mi-
nisters, or gi-
uing licence to
preach.

43 If any person or persons whatsoever, shall or do receiue or take any money, fee, or reward, or other profit directly or indirectly, or shall take any promise, agreement, covenant, bond, or other assurance, to receiue or haue any money, fee, reward, or any other profit directly or indirectly, either to him or themselves, or to any other of their, or any of their friends (all ordinary & lawfull fees onely excepted) so, or to procure the ordaining or making of any Minister or Ministers, or giuing any Orders, or licence or licences to preach: then euery person or persons so offending shall for euery such offence for. x. l. and the party so corruptly made Minister, or taking Orders, x. l. to the D. and J. to be recovered by A.B.J. wherein no Wl.C.P. &c. And if at any time within by. yerres next after such corrupt entring into the Ministry, or receiuing of Orders, hee shall accept or take any benefice, living, or promotion ecclesiasticall, then immediatly from and after the induction, inuelling, or installation thereof, or thereinto had, the same benefice, living, and promotion Ecclesiasticall shall be effrones meerey void. And the patron or parson to whom the aduowson, gift, presentation, or collation shall by law appertaine, shall and may by vertue of this act, present, or collate vnto, giue and dispose of the same benefice, living, or promotion ecclesiasticall, in such sort to all intents and purposes, as if the party so inducted, inuelled, or installed, had bin or were naturally dead: any law, ordinance, qualification, or dispensation, to the contrary notwithstanding. 31.El.6.

Doctors of
the law mat-
ried.

44 All and singular persons, as well lay, as those that now be, or hereafter shall be married, being Doctors of the Ciuill Law, lawfully creat and made in any Vniuersitie, which shall be made, ordained, constituted, and deputed to be any Chancellor, Vicar generall, official, scribe, or register, by the King his heires or successors, or by any archbishop, bishop, archdeacon, or other person whatsoever having authority vnder the K. his heires or successors, to make any chancelor, vicar generall, commissarie, official, or register, may lawfully execute & exercise all manner of iurisdiction, commonly called ecclesiasticall iurisdiction, & all censures and coercions appertaining or in any wise belonging vnto the same, albeit such person or persons be lay, married or unmarried, so that they be doctors of the ciuill law, as is aforesaid: any law constitution, &c. notwithstanding. 37.H.8.17.1.El.1.

Remedie for
the successors
of Prelats.

45 If any wrongs or extortions be done to prelates of the church, and they prosecuting their suits for such extortions be presented by death befoze Judgement giuen therein, their successors shall haue actions to demaund the goods of their church out of the hands of such trespassors. And the successors shall haue like action for such things as were lately withdrawn by such violence from their house & church befoze the death of their predecessors, though it so be that their predecessors did not pursue their right during their liues. And if any intrude into the lands or tenements of such religious persons in time of vacation, of which lands their predecessors died seised, as in the right of their church, the successors shall haue a writ to recouer their seisin: and

Writ of In-
trusion.

and damages shall be awarded them as in assise of Nouel disseisin is accustomed to be Marlb. 25. H. 3. 28.

46 Parsons, Vicars, Curdeins of chappels, & Monocks, shal haue their twits of *Iuris vtrum.* Iuris vtrum, of lands, tenements, rents, and possessions, annered and giuen perpetually in almes to vicarages or chappels, and recouer by other twits in their case, as far forth as Parsons of churches or Pzebends. 14. Ed. 3. 17.

47 Ecclesiasticall Judges, nor other, shal be bound, compelled by duresse, nor indicted, nor imprisoned, for suits in any spirituall courts for tithes, or other duties: and if any procure such indictments, or themselves be such indictors, after they are acquitted, the procurors shall incur the penaltie of the statute of Westm 2. 12. ordained against those that procure false appeales. And the Justices before whom such Indictments shal be acquitted, shall inquire thereof and punish it. 1. R. 2. 13.

1 Ecclesiasticall persons shall not be molested, which are in preaching, or doing diuine seruice. S. Arrest 1. Preachers 1. *Preachers.*

2 An Incumbent may declare his will of corne sown vpon his glebe land. S. Tenements 2 1: *Corne sown.*

3 What Ecclesiasticall persons shal forfeit, which do not say Common prayer, or minister the Sacraments as they ought. S. Sacraments 2. 10. *Common Prayer.*

4 Which Ecclesiasticall persons shall take the oath for the K. supreme gouernment &c. S. Crowne 5. 6. 8. 10. *Oath.*

5 The goods of an Ecclesiasticall person shall not be taken by any Purueyors. S. Purueyors 2. *Purueyors.*

6 No alien shall take a benefice within England, without licence. S. Præmunire 2. Alien.

7 Ecclesiasticall persons may be punished by their Ordinaries for incontinencie. S. Incontinencie 1. *Incontinencie.*

8 The Clergie shall make no constitutions without the Kings assent. S. Conuocation 2. *Constitutions.*

9 What an Ecclesiasticall person shal forfeit, which giueth licence to eat flesh to him that hath no need. S. Fish daies 4. *Licence.*

10 How many horses every Ecclesiasticall person is chargeable to keepe. S. Horses 10. 11. *Horses.*

11 How many sheep spirituall persons may keepe. S. Sheepe 10. *Sheepe.*

12 Forcible entry, or forcible detaining of Ecclesiasticall livings. S. Force &c. 2. *Force.*

12 Concerning remedy for dilapidations made by any Ecclesiasticall persons. S. Dilapidations 1. 2. *Dilapidations.*

14 In what fees of the Church a distress may be taken. S. Distresse 3. *Distresse.*

15 For fresh suit by writ of Entry, &c. after the disseisin by Prelats. S. Age 1. *Disseisin.*

16 Where title to present by Lapse shall not accrue to the Ordinarie, but after six moneths after notice. S. Lapse 1. *Lapse.*

17 Where it is Mortmaine for any spirituall person to enter into lands and make a churchyard or buriall place therof. S. Mortmaine 3. *Mortmaine.*

18 What assurances of lands may be made to churches, chappels, churchwardens &c. in what sort, and for how long time. S. Mortmaine 6. 7. *Assurance to Churches.*

19 How much Ecclesiasticall persons, and their farmors shall take for Mortuaries, and of whom. S. Mortuaries. *Mortuaries.*

20 The remedy where a disturber presenteth to a church during the vacation. S. Vacation Aduowson 1. *Vacation.*

21 A confirmation of Ecclesiasticall livings before assured to K. H. 8. and K. E. 6. S. Monasteries 29. 32.

22 What remedy a Parson of a church shal haue to recouer land or common of pasture, wherof he or his predecessor was deforced. S. Quod permittat 1.

23 The

Egyptians. Entre. Error.

23 The successors remedie for a Tenth which hee shall bee charged to pay for his predecessors. S. 27. H. 8. 8.

Egyptians.

Bringing o-
uer Egypti-
ans, or suing
for licence for
them.

If any person doth willingly transpoyt into England or Wales, any persons commonly called Egyptians, or doth sue for any letter, licence, or paspoyt for any of the said Egyptians, to continue in England or Wales, contrarie to this stat. hee shall forf. xl. l. to the D. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. And also such letter, licence, and paspoyt shall be void. 1 & 2. P. & M. 4.

It is felonie
for Egyptians
to continue
within this
realme a mo-
neth.

2 If any persons called Egyptians, being about the age of riig. yeares, which shall be transpoyted into England or Wales, doe continue within the same by the space of one moneth, or any persons being of the age of riig. yeares, shall bee seene in any companie of the Wagabonds, calling themselves Egyptians, or, counterfeiting, transpoyting, or disguising themselves by their apparrell, speech, or other behauiour, like vnto Egyptians, and so shall continue, either at one or severall times, by the space of a moneth, they shall be adiudged Felons. 1. & 2. P. & M. 4. 5. Eliz. 20.

1 An Egyptian shall not haue his Clergie. S. Clergie 11.

2 The triall vpon arraignment of Egyptians, shall not be *per Medietatem lingue*. S. Iurors 30.

Entre.

A disseisor dy-
ing seised ta-
keth away no
title of Entre.

The dying seised of any Disseisor, of, or in any manors, lands, tenements, or other hereditaments, hauing no right or title therein, the which with strength, and without title entred into the same, and wrongfully disseised the rightfull owners and possessors thereof, shall not bee taken any such descent in Law, for to toll or take away the Entre of any such person or persons, or their heires, which at the time of the same descent had good and lawfull title of Entre into the said manors, lands, tenements, or hereditaments, Except that such disseisor hath had the peaceable possession of such lands, &c. whereof hee shall so dye seised, by the space of five yerres next after the disseisin therein by him committed without Entre or continuall claime, by, or of such person or persons, as haue lawfull title thereunto. 32. H. 8. 33. Vide Dyer fol. 219.

Writs of En-
tre in the post.

2 If those alienations whereof a writ of Entre had wout to be granted, be past so many degrees, whereby that writ cannot be made according to the forme befoze time vsed, the plaintifes shall haue a writ to recouer their seisin, without making mention of any degrees, to whose hands soeuer by such alienations the thing shall come. Marlb. 52. H. 8. 29.

1 Where a writ of Entre is maintainable for the disseisee, or his heire, against the disseisor, or his heire. S. Age. 1.

Error.

He in the re-
uersion shall
haue a writ of
Error & At-
taint vpon a
iudgement gi-
uen against
the particular
tenant.

If the tenant for terme of life, tenant in dower, tenant by curtesie of England, or tenant in taile after possibilitie of issue extinct, be impleaded, and plead to an Enquest, and loose by verdict, default, or other maner, he to whom the reversion of the tenements so lost pertaineth at the time of the iudgement given, his heires and successors shall haue an action by writ of Attaint, to attaint the same Iurie, if hee will assigne the same oath to be false, and also by writ of Error, if Error be found in the recozd of such iudgement, aswel in the life of such tenants that so do loose, as after

ter their death. And if such iudgement erroneous be reuerſed, or ſuch falſe oath be found, the tenant that did loſe by the firſt Iudgment (if he be liuing) ſhalbe reſtozed to his poſſeſſion of the tenement ſo loſt, with the iſſues in the meane time, and the partie purſuing, to the arrearages of the rent, if any be due, of the ſame Tenements. And if ſuch Tenant be dead at the time of the iudgement giuen vpon ſuch writs of Attaint, and of Erroz, reſtitution of the ſaid tenements ſhalbe made to the partie purſuing, with the iſſues, after the death of the ſaid tenant, together with the arrearages of the rent, if any to him were due in the life of the tenant. But although the tenant which ſo did loſe by iudgment be liuing, and the partie purſuing will alledge that the ſame tenant was of couin, and of the aſſent of the demandant which recovered, to loſe ſuch tenements, yet reſtitution ſhalbe made to the ſame party purſuing, with the iſſues and arrearages: Saving to ſuch tenant his Action of Scire fac out of the ſame iudgement ſo reuerſed, or by writ of Attaint, if he will trauerſe the couine and aſſent, and not otherwiſe. 9. R. 2. 3. S. Recoveries 5.

2 In all caſes touching the king, or other perſons, where a man complaineth of Erroz in the Erroz made in pꝛoces in the Erchequer, the Chancelloz and Treazozer ſhall cauſe Erchequer. to come befoze them in any chamber of Counſell nigh the Erchequer, the recoꝝd of the pꝛoces out of the Erchequer, and taking to them the Juſtices, and ſuch other Sages as they ſhall thinke meete, they ſhall call befoze them the Barons of the Erchequer, to heare their Informations, and the cauſes of their Iudgements, & ſhall duely examine the matter. And if any Erroz be found, they ſhal coꝛrect it and amend the roubles, and after ſend them backe into the Erchequer thereof to make execution, as the cauſe requireth. 31. Ed. 3. 12. The not comming of the Lord Chancelloz, and the Lord Treazozer, or either of them at the day of adiournement in any ſuch ſuit of Erroz, depending by vertue of the ſaid ſozmer eſtatute, ſhall not be any diſcontinuance of any ſuch writ of Erroz. But if both the chiefe Juſtices of either Bench, or any one of the ſaid great Officers, the Lord Chancelloz, or Lord Treazozer ſhall come to the Erchequer Chamber, and there be preſent at the day of adiournement in ſuch ſuit of Erroz, it ſhalbe no diſcontinuance, but the ſuit ſhall pꝛoceed in law to all intents & purpoſes, as if the L. Chancelloz, and L. Treazozer had comen & bin preſent at the day and place of adiournment. Pꝛouided alwaies, that no Iudgement ſhalbe giuen in any ſuch ſuit, or writ of Erroz, unleſſe both the L. Chancelloz and L. Treazozer ſhalbe preſent thereat. 31. Eliz. 1.

3 Where any Iudgement ſhall at any time hereafter be giuen in the Court of Judgements the Kings Bench, in any ſuit or Action of debt, Detinue, Covenant, Accompt, action given in the action vpon the caſe, Eiectione firme, or Trespas, firſt commenced, or to be firſt commenced there (other then ſuch onely where the Queene ſhalbe partie) the partie B. Bench examined. plaintife, or defendant, againſt whom any ſuch Iudgement ſhalbe giuen, may at his election ſue ſozth out of the court of Chancerie, a ſpecial writ of Erroz to be deuised in the ſaid court of Chancerie, directed to the chiefe Juſt. of the ſaid Court of the B. Bench ſoz the time being, commanding him to cauſe the ſaid Recoꝝd, and all things concerning the ſaid Iudgement, to be bzought befoze the Juſt. of the Common Bench, and the Barons of the Erchequer, into the Erchequer chamber, there to be examined by the ſaid Juſtices of the Common bench, and Barons aforeſaid, which ſaid Juſt. of the common Bench, and ſuch Barons of the Erchequer as are of the degree of the Coyſe, or ſixe of them at the leaſt, by vertue of this preſent act, ſhall thereupon haue full power and authorizty, to examine all ſuch errors, as ſhall be aſſigned or found, in, or vpon any ſuch Iudgement, and thereupon to reuerſe or affirm the ſaid Iudgement as the Law ſhall require, other then ſoz Erroꝝ to be aſſigned or found, ſoz, or concerning the Jurisdiction of the ſaid Court of B. bench, or ſoz any want of forme in any writ, retorne, plaint, bill, declaration, or other pleading, pꝛoces, verdict, or pꝛocceding whatſoever: And after that the ſaid Iudgement ſhall

Error.

Escape.

shall be reuerſed or affirmed, the ſaid Record and all things concerning the ſame, ſhall be remoued and brought back into the ſaid Court of the R. Bench, that ſuch further proceeding may be thereupon, as well for Execution, as otherwiſe, as ſhall appertain. 27. Eliz. 8.

Erronious
iudgement ex-
amined in
parliament.

4 And ſuch reuerſall or affirmation of any ſuch former iudgement, ſhall not bee ſo ſmall, but that the party who findeth him grieved therewith, ſhall and may ſue in the high Court of Parliament, for the further and due examination of the ſaid Iudgement, in ſuch ſort as is now uſed vpon Erronious Iudgements in the ſaid Court of Kings Bench. 27. Eliz. 8.

Three Juſti-
ces may re-
ceiue writs,
and award
proceſſes.

5 If the full number of the Juſtices and Barons authorized by the ſaid Act (of 27. El.) come not at the day or time of returne or continuance of any ſuch Writ of Error, it ſhall be lawfull for any three of the ſaid Juſtices and Barons at euery of the ſaid daies and times, to receiue Writs of Error, to award proceſſes thereupon, to make and preſſe daies from time to time, of & for the continuance of all ſuch writs of Error as ſhall be there returned, certified, or depending. And the ſame ſhall be to theſe reſpects as good and available, as if all the Juſtices & Barons authorized by the ſame Act were preſent. And the Juſtices and Barons authorized by the ſaid Statute, may after that lawfully proceed in al thoſe caſes in ſuch ſort to al intents, as they might doe in other caſes mentioned in the ſaid Statute: any not comming of any the ſaid Juſtices or Barons notwithstanding. Provided neuertheleſſe, that no Iudgement ſhall be giuen in any ſuch Suit or Error, unleſſe it be by ſuch full number of the ſaid Juſtices and Barons, as are in that behalfe authorized and appointed by the ſaid Act. 31. Eliz. 1.

No iudgement
giuen but by
ſix Juſtices
at the leaſt.

Error ſued in
Parliament.

6 But the partie plaintife or defendant againſt whom any ſuch iudgement hath bene heretofore, or hereafter ſhall be giuen in the ſaid Court of the Kings Bench, may at his election ſue in the High Court of Parliament for the reuerſall of any ſuch Iudgment, as heretofore hath bene uſual or accuſtomed: Any thing in this Statute, or in the ſaid former Act to the contrarie thereof notwithstanding. 31. Eliz. 1.

A iudgement
ſhall continue,
vntill it be re-
uerſed.

7 After Iudgement giuen in the Kings Courts, the parties and their heirs ſhall be thereof in Peace, vntill the Iudgement be vndone by Attaint or Error, if there be Error, as hath bene uſed by the Lawes in the time of the Kings Progenitors. 4. H. 4. 23.

1 A Writ of Error ſhal be ſued in the Kings Bench of Erronious Iudgement giuen in the Maſhalſey. S. Maſhalſey 5.

2 Where the defendant in a Writ of Error ſhall recouer his coſts and dammages. S. Damages 5.

3 Iudgement giuen after Demurrer, ſhall not be reuerſed by writ of Error, for imperfection in writ, pleading, &c. S. Demurrer 1.

4 Where, and for what cauſes a fine or recovery may be reuerſed by writ of Error, and where not. S. Fines 20. 21. 30. 31.

5 Where erronious Iudgements giuen before the Juſtices of the xij. ſhires in Wales, ſhall be redreſſed. S. Wales 24.

6 In what onely caſe execution ſhall be ſtaid by writ of Error. S. Execution:

Escape.

Escape of an
Accomptant.

If the ſhriue or Gaoler doe ſuffer any chamberlain, bailife, ſervant, or other Receiver to go at libertie, which is committed to Priſon by the Auditors of his account, by the common writ of Replegiare, or otherwiſe, without his Paſſers aſſent, and be thereof conuict, he ſhall anſwers to the Paſſer of ſuch accomptant the damages which he hath receiued by the ſaid accomptant, according as they may be pro-

proned by the countrey, and he therfore shall have an action of debt and if the Gaoler be insufficient, his superiour that committed the gaole unto him, shall be answerable by the same writ. West. 2. 13. Ed. 1. 13. S. Accomptant 2.

2 If the Sherife or any other do take, or leuie any thing for the Escape of any Felon, befoze it be adiudged by the Iustices in Chire, he shall restoze to the partie, or him that payed it, as much as he receiued, and to the King as much. West. 1. 3. E. 1. 4. For the Escape of Felons and Clerkes conuict shall be adiudged by the same Iustices and by their view leuied. 31. E. 3. 14.

Leuieing of money for Escapes.

3 If the Warden of the Fleet doe suffer any prisoner there being by indgement at the suit of the partie to go out of Prison by Bayle, Mainprise, or Baston, without agreeing with the party at whose suit he is there (except it be by the Kings writ or commandement) he shall lose his office. And if the said Warden be attained by due proces, the plaintife shall haue his reouerie against him by A. of Debt, wherein no P. 4c. 1. R. 2. 12. By the statute of 7. H. 4. 4. the Wardens of the prisons of the Marshalsey, Kings Bench, and other Prisons in Cities, Boroughes, and Townes, are chargeable accordingly, if they let any prisoners condemned go at libertie.

A prisoner condemned goeth by bayle or baston.

- 1 The Towne shall be amerced for the escape of a murderer. S. Murder 1.
- 2 How an Escape of him which disturbeth a Preacher in his Sermon shall be inquired of &c. S. Preachers 3.
- 3 Iustices of Peace haue authoritie to enquire of escapes of Felons. S. Iustices of Peace 19.
- 4 A Coroner shall inquire of the escape of a Murderer. S. Coroners 13.

Escheto

If any person named, and certified into the Chancery by the Lord Treasorer to be Escheto, do not within on moneth next after his letters Patents shall be offered unto him, take vpon him the execution of the same office, or else within the time aforesaid appeare in the Exchequer, & shew a reasonable cause why he ought not so to doe, he shall forfeit for euery such default to the king xx. l. 33. H. 8. 22.

Within what time an Escheto appointed, shall take or refuse the office.

2 An Escheto which shall sit onely by vertue of his Office to enquire of the tenure, title, or value of any lands, tenements, or hereditaments, being of the perely value of v. l. or above, and holden of the K. without the K. writ directed to him for the same, shall forfeit v. l. for euery time that he shall sit and make enquire to the contrary, &c. 33. H. 8. 22.

No office of lands to the value of v. l. virtute officij.

3 If any Escheto doth take about the summe of xv. s. for the finding of an Office of any lands, tenements, or hereditaments, not exceeding the cleare yearely value of v. l. viz. for the Escheto 8 s. viij. d. for his writing of the Office 1 s. iij. d. for the charges of the Iurie 1 s. and for the Officers that shall receiue the said Office in any Court of Record 1 s. he shall forfeit for euery time so offending v. l. to the K. and 3. to be recovered by A. J. &c. wherein no W. C. P. &c. 33. H. 8. 22.

The Eschetors fees whē the land doth not exceed v. l.

4 If any Escheto, or Commissioner doth retorne, or put into any of the kings Courts, any Inquisitions, or Offices concerning lands tenements, or hereditaments, not found nor presented by the othes of xij. men, and indented and by them sealed, the said Escheto or Commissioner shall forfeit for euery such Office or Inquisition so returned 100. l. to the partie or parties grieved by any such inquisition or office. 1. H. 8. 8. 3. H. 8. 2.

Offices returned not found or not sealed by the Iurie.

5 If an Escheto, or any other, by vertue of any Commission doth sit to enquire of lands, tenements or hereditaments, except he, or other to his vse, hath lands tenements, or hereditaments, of the perely value of xl. marks about all charges, he shall forfeit xx. l. (without he be an Escheto in a citie or towne corporate, or made

Not sufficient of freehold.

Do it

by

Eschetoꝝ.

by some person hauing priuiledge therunto, and except Eschetoꝝ of the Countie Palantine of Lancaster and Chester) foꝝ any person being not sufficient of frehold may refuse to sit vpon the same commission, and vpon pꝛoces made against him out of the Exchequer shall be discharged vpon his oth foꝝ non-sufficiencie, without fine oꝝ fē. 1. H. 8. 8. 3. H. 8. 2.

Euery man
may giue evi-
dence vpon an
Office.
The Eschetoꝝ
shal receive an
office, & deliuer
the Counter-
paine.

6 If any Eschetoꝝ oꝝ Commissioner will denie any person to giue euidence opēly in his pꝛesence, to such Enquestes as shalbe taken befoꝝe him foꝝ the finding of an Office, he shal foꝝfeit xl. l. 1. H. 8. 8. 3. H. 8. 2.

7 If any Eschetoꝝ oꝝ Commissioner, oꝝ part of the Commissioners (after an Enquest befoꝝe him swoꝝne to inquire of Lands, &c. be readie to giue their verdict, and offer to pꝛesent the same) do not receiue the same verdict without further delay, and also do not deliuer the Counterpaine of the Office oꝝ Inquisition by the Iurie found indented & sealed by himself, to the same Iurie, to the intent it may be deliue- red, and rest in the possession of the first person of the said Iurie, the Eschetoꝝ oꝝ Commissioner which so offendeth, shal foꝝfeit 100. l. to the partie grieved, to be re- couered by A. of Debt. And euery of the Iuroꝝs swoꝝne which will not receiue the Counterpaine of the said Office indented and sealed by the Eschetoꝝ oꝝ Commis- sioner, oꝝ shal not suffer the same to rest in the possession of the first man of the Iury. shal foꝝfeit xx. l. to the K. and 3. to be recovered by A. of debt, wherein no W. C. P. &c. 1. H. 8. 8. 3. H. 8. 2.

How long one
shalbe Esche-
toꝝ.

8 If an Eschetoꝝ doe exercise his office by reason of one patent ouer one whole yeare, oꝝ be made Eschetoꝝ within thꝛee yeares after, then after the said yere ended, his patent shalbe void, except he be Eschetoꝝ by patent oꝝ grant in any city oꝝ towne coꝝpoꝝat, oꝝ in the Duchie of Lancaster oꝝ Coꝝnwal, oꝝ in any countie Palantine, oꝝ made by any person hauing authoritie by any priuiledge, pꝛescription, oꝝ graunt to make Eschetoꝝs. 1. H. 8. 8. 3. H. 8. 2. 14. Ed. 3. 8.

Within what
time, & where
an Eschetoꝝ
shal take his
Enquest.
Eschetoꝝs fē.

9 If any Eschetoꝝ doth not take his enquest of Office by vertue of a Diem clau- sic extremum, oꝝ any other Writ, within the moneth next after the deliuerie of the said Writ vnto him (oꝝ if he doe not take such enquestes in good Townes and open places. 3. H. 8. 2.) oꝝ if he do take priuily oꝝ openly, by himselfe oꝝ any other, aboue the summe of xl. s. foꝝ the execution of any writ in one Countie, he shal foꝝfeit foꝝ euery offence xl. l. 23. Hen. 6. 17. S. 34. Ed. 3. 13. 36. Ed. 3. 13. What if the Eschetoꝝ do not take his Enquestes in good Townes openly, and by honest men of good fame, and hauing sufficient in the same Countie, and by Indenture betwixt the Esche- toꝝ and the Iuroꝝs, the same Enquestes shall be void, and the Eschetoꝝ shall bee two yeares imprisoned, and punished at the Kings pleasure. But foꝝ the penalties Quere.

Quere.

Within what
time an office
shall be retuꝛ-
ned.

10 If any Eschetoꝝ oꝝ Commissioner doth take any office befoꝝe him, and doth not retuꝛne the same into the Chancerie, oꝝ Exchequer, within a moneth after the taking thereof, he shall foꝝfeit xl. l. and also pay to the King so much as he is indam- naged by not returning therof. 8. H. 6. 16. 18. H. 6. 7. But if the Clerke of the pe- tit bag of the Chancery, oꝝ his Deputy, oꝝ any other Officer there hauing authoritie to receiue any such Office oꝝ Inquisition, to whose hands any such office shal come, wil not receiue the same, & put it on the files, to remain of recoꝝd within thꝛee daies after it be receiued, oꝝ offered to him, the Clerke shall foꝝfeit foꝝ euery default xl. l. and the Eschetoꝝ oꝝ Commissioners shall be discharged of the foꝝelsaid foꝝseiture of xl. l. 1. H. 8. 8. 3. H. 8. 2. S. Office 5.

Enquest re-
turned by the
Sheriffe.

11 If any Eschetoꝝ oꝝ Commissioner doth take any enquest of inquirie of any other persons, but of such as be returned and impanelled by the Sheriffe of the coun- tie where he is Eschetoꝝ oꝝ Commissioner, hee shall foꝝfeit xl. l. 8. H. 6. 16. 18. Hen. 6. 7.

Eschetoꝝs
Deputie.

12 No Eschetoꝝ shall sell oꝝ let to ferme his office, noꝝ shall make any deputie, but

but such for whom he will answer at his perill. And the Escheator shall certifie the name of his Deputie or Deputies vnder his letters patents to the Treasorer and Barons of the Exchequer, within twentie daies after deputation made. And no Deputie shall take vpon him to occupie the said office, except the Escheator hath Lands, tenements, or rents, to the value of xx. l. vpon paine of forfeiture for every offence r.l. to the R. and C., to be recovered by R. of Debt, wherein no W. C. p. q. r. 12. E. 4. 9. S. Just. of peace 87.

13 Every Escheator hath authoritie to enquire by the othes of twelve lawfull men, of euery offence done contrarie to the Statute provided. 7. Ed. 6. to auoid the great prices and excesse of wines. And euery inquirie & presentment taken by the othes of xij. men, shall be of such force, as if it were taken in the Kings Bench. 7. Ed. 6. 5. S. Wines.

1 Assise lyeth against an Escheator, which by colour of his office disseiseth any man. S. Assise 4.

2 An Escheator shall haue no Fee, nor commit wast in the lands of Wards. See Wards 23.

3 Escheators may enquire of counterfeiterers of Weights, and punish them. See Weights 13.

4 For the Escheators dutie concerning finding of Offices &c. S. Offices.

5 What Iurors shall be returned before Escheators or Commissioners. See Iurors 13.

6 Who shall be Escheators in the xij. Shires in Wales, Who shall name them, their office, duty, &c. S. Wales 51.

7 A Patent of Lands seized vpon an Enquest taken before an Escheator. See Patents 7.

Essoines.

In Counties, Hundreds, Court Barons, or in other Courts, none shall neede to be swoyne to warrant his Essoine. Marlb. 52. H. 3. 19.

2 Two Coparceners, or two that hold in Common, shall not haue Essoine but at one day, no more then one sole Tenant should haue, so that they shall not fourch, but onely shall haue one Essoine. Westm. 1. 3. Ed. 1. 42. And in like case it shalbe where a man and his wife be impleaded in the Kings Court. Gloucester 6. Ed. 1. 10.

3 After the Tenant in an Assise, Attaint, or Iuris vtrum, hath once appeared in the Court, he shall be no more Essoined, but shall make his Attourney to sue for him if he will, and if not, the Assise or Iurie shalbe taken throught his default. West. 1. 3. Ed. 1. 41. And the same Law shall be obserued of the Demandants in writs of Assise. West. 3. 13. Ed. 1. 28.

4 After a man hath put himselfe vpon any Enquest, which hath, or must passe in such manner of writs, viz. Dower vnde nihil habet, Assise of Darrein presentment, Quare impedit, and other writs where Attachments do lie, (Marlb. 52. H. 3. 12.) he shall haue but one Essoine, or one default: So that if he come not at the day giuen by the Essoine, or make default the second day, then the Enquest shall be taken by his default, and according to the same Enquest they shall proceed in Judgement. And if such Enquest shall be taken in the Countie before the Sherrife or Coroners, it shall be returned to the kings Iustices at a certaine day: and if the partie defendant come not at that day, then vpon his default another day shall be assigned vnto him by the Iustices discretion. And the Sherrife shall be commanded that hee cause him to come to heare the Judgement if he will according to the Enquests, at which day if he come not, vpon his default they shall proceed to Judgement. In like man-

No Essoine by othe.

Fourcher by Essoine.

After appearance no Essoyne.

But one Essoyne after the sue is toynd.

Essoines.

manner it shall bee done, if he come not at the day giuen vnto him by his Essoine. Marlb. 52. H. 3. 13. After any hath put himselfe to an enquest, an essoine shall be allowed vnto him at the next day: But at other daies following, the taking of the enquest shall not be delaied by essoine, whether he were essoined before or not. Neither shall any essoine be allowed after day giuen by Prece partium, in case where the parties consent to come without Essoine. West. 2. 13. Ed. 1. 27.

Essoine ultra mare.

5 Essoine of Ultra mare shall not be allowed, if the Demandant do challenge it, and be readie to auerre that he was in England the day that the Summons was made, and thre weekes after, but it shall be adiourned in this forme, that if the Demandant be readie at a certaine day by the aduisement of the Countrie, or otherwise as the Kings Court wil award, to proue that the tenant was within the foure Seas the day that he was summoned, and thre weekes after, so that he might be reasonably warned by the summons, the Essoine shall be turned into a default, and this is onely to be vnderstood before Iustices. West. 2. 13. Ed. 1. 43.

Essoine de Malo lecti.

6 In the Circuit of the Iustices an essoine de Malo lecti shall not be allowed for lands in the same Countie, vnieste he that caused himselfe to be essoined be sicke in deed: For if the Demandant do alledge that the Tenant is not sick, nor in such state but that he may come before the Iustices, his challenge shall be admitted, and if it can be so proued by enquest, his essoine shall be turned into a default. And from henceforth such essoine shall not lie in a writ of Right betweene two claiming by one dissent. West. 2. 13. Ed. 1. 17.

Essoine del seruice le roy.

7 If the Defendant doe cause himselfe to be essoined of the Kings seruice, and doe not bring in his warrant at his day which is giuen him by his Essoine, he shall render damages to the plaintife for his iourney xx. s. or more, according to the Iustices discretion, and shall be amerced to the king. Glouc. 6. E. 1. 8. Essoine of the kings seruice doth not lie in a writ of Nouel disseisin, in a writ of Dower vnde nihil haber, in a writ of Darrein present, nor in Appeale of the death of a man. Stat. de visu terre & Essoin de seruicio domini Regis.

No Essoine for the appeal.

8 In Appeale of the death of a man there shall no essoine lye for the Appeal: for any cause, in whatsoeuer Court the appeale shall happen to be determined. W. 2. 13. Ed. 1. 12.

In what cases Essoines doe not lie.

9 Here is declared how many waies Essoines may be challenged, and in what cases essoines do not lie. An essoine lieth not, where the land is taken into the kings hands: For where the partie is distrained by his lands: For where any iudgement is giuen thereupon, if the Iurozs do come: For where the partie was seen in court: Essoine de ultra mare lieth not where the partie another time was essoined de malo veniendi: It lieth not where the partie hath essoined himselfe another day: For where the Sherife was commanded to cause the partie to appeare: Essoine de Seruicio Regis lieth not where the partie is a woman: It lieth not in a writ of Dower, where it seemeth to be but a delay of right: It lieth not for that the plaintif hath not found pledges of suit: It lieth not where the Atturney was essoined: For where the partie hath an Atturney in his suit: For where the Essoine confesseth that he is not in the kings seruice: For where the Summons is not returned, or the partie not attached, for that the Sherife hath returned Non est inuentus: For where the party another time was essoined de seruicio Regis, viz. such a day, and now he hath not put in his warrant: For where he was ressumoned in assise of Morredauncester, or Darrein presentment: For because such a one is not named in the writ: For where the Shurife had a precept to distraine the partie to come by his lands & goods: For where the bishop was commanded to cause the party to appeare: It lieth not for that the terme is past. And it is to be noted, that Essoines de Seruicio Regis, are allowed after the Grand Cape, petit Cape, and after distresses taken vpon the lands and goods. Stat. de Essoinjs, Anno 12. Ed. 2.

Estreats.

Estreats.

If any Sherife or Piniffer of his, hauing receiued the gréne ware to leuie the *Estreats* shall be shewed to the partie, and totte the same which is payed, but that the debt which in that sort is once payed, is another time demanded of the partie, the said Sherife &c. shall pay to the partie grieved his treble damages, and make fine to the King. 42. Ed. 3. 9. S. Accomptants to the K. 52. Iust. of peace 88.

2 The Judge (beseze whom any Issues or Amerciaments be forfeited) shall charge the Clerke of the Court vpon his othe, that he make the rolls of the *Estreats* of such Issues and amerciaments distinctly by expresse word of the cause of the losse, of the Terme of the yeare, the nature of the Writ, and betwixt what parties such issues &c. be lost. 7. H. 4. 3. Rolles of *Estreats* shalbe made certaine

3 If any man or towne be charged in the Exchequer by the *Estreats* of the Iustices for Cattell of fugitiues and Felons, and he will alledge in discharge of himselfe another that is chargeable, he shalbe heard, and right shall be done. 31. E. 3. 3.

1 That Sherifes shall make no *Estreats* vntill two Iustices haue had the view of them, which *Estreats* shall be indented, and the Iustices shall haue one part. S. Shirifes 14. 18. 20.

2 To euery *Estreat* of Issues against a Iuror, his addition shalbe pur. S. Iur. 34.

Exchequer.

A Clerke of the Remembrance of the Exchequer shall be assigned to sit together with the Clerke of the Pipe, to see discharges made in the Pipe, and to enroll them in the remembrance, to cease all processes thereupon made. And the summons of the Pipe shall be withdrawn, according as the parties by processes be discharged. And if there be any willing default made, the treasurer shall punish it. 37. Ed. 3. 4. Clerke of the Remembrance

2 At what time any debt is once payed and the Tallies made thereof be ioyned, and allowed in the Exchequer, that Debt shal neuer be demanded againe. And if it so chance, that after such allowance made there, any Clerke of the Exchequer make any Writ or Proces, to proue that a debt of new which hath been payed, and that be duely proued, the same Clerke shall lose his office, and be imprisoned, vntill he hath satisfied the partie so much, as by the discretion of the Treasurer & Barons he is endamaged. 1. R. 2. 5. Proces for debt paid.

3 The Barons of the Exchequer shall haue authoritie to heare euery answer to any demaund made in the Exchequer: so that each person which is impeached there for any cause, shall be receiued by himselfe, or by any other person, to plead, sue, and haue his reasonable discharge in this behalfe, without attendance or suing forth any writ or other commandement. 5. R. 2. 5. Speedy pleading.

4 The covenants of those Lords, or others, which shall be retained to serue the King in his warres, or Embassies, shalbe committed to writing, and sent into the Exchequer, there to remaine of Record: so that at what time any person in such sort retained, his heires, executors, occupiers of his goods or lands, come to account, they shall bee thereunto receiued, and haue one allowance according to the purport of their covenant: And what is due to them by the same account, the Treasurer and Chamberlaines shall make payment of, without tarrying, or suing other warrant of the great or priue Seale. And if there be any covenant or repeale of the said retainer, the Barons shall doe that which is right. 5. R. 2. 10. Covenants for the Kings seruice.

5 The accounts in the Exchequer shall be moze byiesly heard, made, & ingrossed then Parcels of account.

Exchequer.

Parcels of
account.

Clerkes of
the parcels.

Nihil.

Discharge
by oath.

Entring of
discharges.

Clerkes of
the Remem-
brances.

Clerke of the
Pipe.

Bands with
penalties.

Nothing shall
be take of him
which payeth
Tenthes.

Issues forfeit-
ted remitted.

Whidemeano?
contrarie to the
Orders.

then they are wont to be: Saving that the parcels of the same account shalbe made made as fully as they were in times past, and that by an Ordinance made by the Barons to endure of Record for ever. Two Clerkes shall be assigned to make parcels of accounts in the Exchequer, who shall be sworn to do no falshood in their office, and shall take reason for their labour, according to the order of the Barons. 5. R. 2. 11. 12.

6 The accounts of Nihil in the Exchequer shall be wholly put out: And if any such accounts ought there to remaine, the accountants immediatly after their othe taken in the said Exchequer, shalbe examined by the Barons there, if they should or ought to answer the King of any thing. And if it appeare by their oath that they doe not, then by the same oath they shall be discharged to yeeld other account before any Auditoz, alwaies saving the kings right. 5. R. 2. 13.

7 The Clerke of the Pipe, and the Remembrancers of the Exchequer shall bee sworn, that from terme to terme they shall see (whiles the said Exchequer shall be open) all the writs of the great or privie seale, which shall be sent to the said Exchequer the same Terme, for the small discharge of any person of the Realme of any demand due in the said Exchequer: And that every of them to whom it appertaineth, shal doe execution of the said commandement: And the said two Remembrancers shalbe sworn, that every Terme they shal make a Schedule of al the persons that shalbe discharged in their offices, by Judgement, or in other maner in the same Terme, of any demands of the said Exchequer, containing the manner of the same discharges, and to deliver the same Schedules to the said Clerke of the Pipe, the same Terme, to the intent that the said Clerke of the Pipe may therof discharge the said partie in the great Rol. And the said Clerke of the Pipe shalbe sworn, that from Terme to Terme he shall demand the said Schedules, and that he having received them, shall discharge the partie in maner aforesaid. And in the same maner the said Clerke of the Pipe for his part shall cause to be certified in writing to the said Remembrancers, all such discharges which shall be made in his Office, to the intent, that a man discharged in one place may be discharged in all other places of the said Exchequer. 5. R. 2. 14.

8 There shall be no Recognizances or Bands of the Double in the Exchequer for the Kings Debt. Provided, that the king shall have sufficient surety for his debt, as heretofore hath been accustomed. 13. R. 2. 14.

9 If any Officer of the Exchequer doe take of any Archbishop, Bishop, or other person, having charge with the collection and payment of the Tenth of spirituall promotions, any reward for making his account, or Quietus est. in the same Exchequer, or for any thing pertaining to the same concerning the Tenth, he shall forfeit his office and make fine at the Kings pleasure. 26. H. 8. 3.

10 All manner of Issues lost and forfeited, or hereafter to bee lost or forfeited, which by the true intent of the late Queene Elizabeths Privie Seale, and the Orders hereunto annexed, ought to be remitted and discharged against her said Majesty, be and for ever hereafter shall be accordingly by vertue of this Act clearly acquitted and discharged against the Kings Majesty, his Heires, and successors. 1. Jac. 26.

11 If the Lord Treasurers Remembrancer for the time being, or any of his Clerkes shall award any proces, exact any pleading, or take any fees, or otherwise in any point demean him or themselves, contrarie to the true meaning of any of the said Orders: Then for every such offence which the said Lord Treasurers Remembrancer, or his Deputie, or any of his or their Clerkes shall commit, the person so offending, or in case the partie so offending, be unable to satisfie, the said Lord Treasurers Remembrancer himselfe shall forfeit xx. l. wherof the one moitie to the Kings Heires and successors, and the other moitie to the partie grieved, to be sued for

for within two yerres of the offence committed, by Action of Debt, B. P. or in any of the B. Courts of Record at Westminster, wherein no C. P. W. or P. shalbe allowed. 1. lac. 26.

12 The orders set downe for respect of Homage, by the L. Treasurer, Chancellor and Treasurer of the Exchequer, & the Barons of the same Court made 15. Iulij. An. Dom. 1573. and in the fifteenth yeare of the Reigne of Q. Elizabeth, according to the privie Seale to the said Treasurer and Barons in that behalfe directed, and witnessed vnder their hands, as followeth.

Orders for respect of homage.

13 First, that no Proses, Ad faciendum homagium & fidelitatem, or Ad faciendam fidelitatem, nor any writ of Scire facias, Capias, or Distresse from the fines created out of the Court of Common pleas, shall goe out of the Treasurers Remembrancers Office vpon any Supposall, vpon paine by former Lawes & Statutes limited, and by the orders of the said Court in that case provided, but vpon a good and iust ground, and the same shall be vouched in euerie of the said Prosesses according to the booke, terme, yeare, roll, and record thereof, that it may be certainly found. And yet if by any knowne Record remaining in that office, it may appeare the same tenure haue been trauesed, then the said Prosesses to be discharged by the said Trauerse without pleading.

Fines created out of the common place

14 Upon the Street of the Originall of the Chancerie, of the first grants of any lands or tenements holden in chiefe, or by knights service, or Socage in chiefe, or of any Licence of Alienation, pardon of alienation, Ouster le maine, generall or speciall Luerie, or inrolment of any of them, proses shall be made only for the service due thereupon, and the parties vpon the same, shall be admitted without pleading, as it hath been accustomed to make their fine for respect of homage, or to doe the fealtie forthwith, whensoever they will appeare, and pray to be receiued for the same paying the charges of the said fine as hereafter is appointed.

Proses vpon the Street of the Originall.

15 Where the first tenant in any such writ from the said Originall, or such Inrolment is returned by the Shrifte Mort, or Nihil haber, then shall goe out according to the auncient course of the same Court, Distring. tenent. against the Tenants, of the same Lands to the Shrifte, to doe the service due to the King, and to shew their entrie into the same, who returning the name of the tenant of the lands in the writ, there shall goe Prozesse then euery Terme against the said new Tenants to doe their said service, and also to shew their entrie, and they to loose issues thereupon, vntill they come in, and make there fine for respect of homage, or fealtie, or doe the fealtie vpon the same, according to the auncient course of the Exchequer.

The first tenant returned Mort, or Nihil haber.

16 To auoid the charges of pleading, vpon shewing of any mans entrie, it shall be lawfull for euery person, that by force of any Licence of Alienation doth come to any Lands or Tenements holden in chiefe, assured to him in fee simple, fee tail generall, or speciall, or for Terme of life, by any manner of conueyance in law, from the partie in the first Originall, or Inrolment of the same, to bring the same licence and conueyance to the said Treasurers Remembrancer, and therupon the said Barons of the Exchequer, or the said Treasurers Remembrancer finding the said Licence or Alienation to be good, and agreeable to the assurance thereupon made, and likewise agreeable to and from the said Originall, and from and with all the Clouchers of the same, the parties to whom such Licence of Alienation is made, shall bee receiued to inroll the said Licence onely, and to make his fine theretupon for respect of Homage, without any further pleading, or other shewing of his Title for the same. And likewise, whosocuer shall enter into Lands by Luerie generall, Speciall, or Ouster le maine, bringing the same and the Schedule of his Luerie with him, he shall be receiued to like Inrolment, and making of his fine without any pleading.

I meane to auoid the charges of pleading.

Exchequer.

Lands assured by fine.

17 Likewise, who so that hath a licence of alienation of lands & tenements holden in chiefe, which thereby are assured to him by fine, the same person may also bying in his said Licence, and assurance, thereupon to be examined, as befoze in the fourth article is mentioned. And the same agreeing together, & also agreeing from and with the originall, and from and with the Vouchers of the same, then the party to be discharged without pleading.

Writ of reuerſion.

18 Where any Writ of reuerſion shall be made vpon any Record, for Lands or Tenements, wherein the Prince is in reuerſion, if it do appeare by any sufficient matter of record within the Court, that the Grant or Record wherevpon the said Writ of Reuerſion is made, is clearly auoided, or determined: in such case the party vpon shewing forth of such Record, shall be discharged without pleading.

Two Mannors of one name in one Countie.

19 Where there be two Mannors, or moe, or other lands and tenements of one name in one countie, and the one holden of the Prince in Chiefe, or by Knights service, and the other not: in such cases where the matter shall so appeare of Record, the partie that hath the Mannors, or Lands, so not holden, shall be discharged of the processes without pleading, and the Issues thereupon lost to be saued.

Issues lost discharged.

20 The Issues lost by her Maiesties Subjects, which she of her fauour hath appointed by her priuie Seale to be discharged, be as followeth, viz. All Issues lost and to be lost vpon any that are or shall be returned Tenants of Lands which they haue not, shall be now discharged, though they haue other Lands within the Shire that could not so haue bene, befoze the said priuie Seale was granted. All Issues lost, or to be lost, vpon any Heire, or Ward, being within age, or in custodie, or committed to any, shall be now as befoze discharged, that were wont to remaine, while the heire come to full age. All Issues lost, or to be lost vpon the Committees of any Wards lands by Lease, as returned Tenant thereof, shall be now discharged, that otherwise should haue bene payed by the same Committees, if they had any lands or tenements, goods, or chattels, within the said County. All Issues lost, or to be lost vpon any Lands in the Qu. hand, by extent, or otherwise, shall be now discharged, that otherwise could not haue bene by the course of the Court. All Issues lost, or to be lost vpon the Farmers and Tenants of any Lands, for life, yeares, or at will shall be now discharged, that were wont to pay them, being returned Tenants thereof by the Sherife, if they had any Lands or goods within the Shire. All Issues lost, or to be lost vpon Tenants of Lands in Chiefe by extent, shall be now as afoze discharged, and could not so haue bene befoze, but were alwaies leuiable vpon the Lands. All Issues lost, or to be lost by sundrie other verations, as well by vntrue Returnes & Dis-returns of Shirifes and vnder-Shirifes, shall or may be discharged or moderated, or otherwise ordered, as the Court shall thinke meet, that were infinite befoze, and could not be discharged. But the partie was driuen to take his remedie against the Sherife. All Issues lost, or to be lost vpon any former Grant of Lands and Tenements in Chiefe, that are afterward ginen not be holden in Chiefe, shall be now discharged by this priuie Seale, and could no way haue been remitted, untill the second Grant had bene layed and pleaded. All Issues lost, or to be lost by any person returned in any Iurie in the Exchequer, or in any Attaint or Iurie in the H. Bench or Common Place at Westminster, or in any Iurie befoze the Iustices of Assise in any Court within this Realme, which at the time of their apparance appointed, were beyond the Sea in her Maiesties seruice, or by special licence in writing, or were or shall be in Prison, or in Ordinarie of her Maiesties Chamber, or Household, and bound to their personall attendance there, shall be now discharged cleare, that befoze could by no meanes be holpen.

Rata finium pro homag. tenent. Dñæ Reginae
per vnum annum integrum respectuand. cum feod. Re-
memorat. Thesaur. & pro intrac. finium, cum Reord. inde fact. ac
 pro feod; Attorn' pro eodem anno integro, exhib. Parl.

<i>Profeed.</i>	<i>assessn.</i>	<i>Feed. Rem.</i>	<i>Tithes.</i>	<i>Fines Re- gina.</i>	<i>Valor terra. vinn.</i>
<hr/>					
		Li.	Li.	S.	d.
A C.	ad lx.	x.	xx.	iiij.	
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		Li.	Li.	mare, dim.	d.
A lx.	ad xxx.	xxx.	iiij.		
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		Li.	Li.	S.	d.
A xxx.	ad xxx.	v.	xx.	iiij.	
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		Li.	Li.	d.	d.
A xxx.	ad xv.	xl.	xx.	iiij.	
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		Li.	Li.	S.	d.
A xv.	ad x.	ij.	xx.	iiij.	
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		Li.	mare.	d.	d.
A x.	ad x.	xx.	xx.	iiij.	
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		mare.	S.	d.	d.
A x.	ad C.	xij.	xij.	iiij.	
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		S.	S.	d.	d.
A C.	ad lx.	viiij.	viiij.	iiij.	
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		S.	d.	d.	d.
A lx.	& infra.	iiij.	iiij.	iiij.	

By some xl.

By some xx.

By some al.

By some vo-
luntarie An-
nuities for
all matters

These neuer loose issues, but
haue their fines paid, whe-
ther they come, or come not.

Item that the said fines shall be paid after the said rate exhibited to the Parliament house, and not otherwise. According to the said Treasurers Remembrancers owne offer, for himselfe and the Clerks of his office, It is ordained, that he himselfe shall pay euery subiects charges, as by the Court of Exchequer shall be set and ordained, that shall be bered by any writt upon a Suppofall, and not upon good & iust ground touched and set downe in euery writt as befoze is declared. The Clerkes of the said Treasurers Remembrancers office, shall pay all issues, that any of her Ma. subiects shall loose, after he hath paid his ordinarie fine for respect of homage to any of them, for any lands or tenements, so may be poud by any of their acquaintances. W. Burleigh, W. Mildmay, Ed. Saunders. George Freuife, Iohn Birche. Ex. pet G. Gerrad, Thomas Bromley. Ex per Iohn Osburne, xvij. Nouemb. 1601.

21 Provided alwaies neuertheles, and be it enacted by the authoritie aforesaid, if in case it shalbe thought fit, for the true knowledge and preservation of þ tenures appertaining to the Crowne, & so ordered in the open court of Exchequer, þ proces should issue out of the said Court against any, That in every such case the said treasurers Remembrancer, or any his Clerkes, may send out the said proces, without incurring any the penalties of this Act: In which case no such Tenure appearing to

Excommunication.

to the Court, the partie shall be clearely dismissed, without any maner of pleading, or paying any fees at all. 1. Jac. 26.

1 For the authoritie of the Court of Excheq. S. Courts.

2 The maner of reforming erroneous Iudgements given in the Excheq. S. Errour

2. 3. 5.

3 Barons of the Exchequer shall doe right to all men without delay. See Iustices &c. 2.

4 Proces awarded out of the Exchequer, for the recouery of the Kings rights. S. Sherifes 3 8.

5 S. Stat de Scaccario made Añ 51. H. 3. & Stat. de Rutland. made Añ. 10. E. 1. in the statute at large.

Excommunication.

Awarding & returning of the writ of Excom. cap.

Executive Writ of Excommunicato capiendo, that shall be graunted and awarded out of the Chauncerie, against any person or persons within the Realme of England, shall be made in the time of the Terme, and returnable befoze the Queen, her heires and successors in the Kings Bench, in the Terme next after the Teste of the same writ. And the same writ shall be made to containe at the least xx. daies betwene the Teste and the returne thereof. And after the same writ shall be so made and sealed, then the said writ shall be forthwith brought into the K. Bench, & there in the presence of the Iustices shall be opened and deliuered of Record to the Sherife, or other officer, to whom the seruing and executing thereof shall appertaine, or to his or their deputie or deputies. And if afterwards it shall or may appeare to the Iustices of the same Court for the time being, that the same writ, so deliuered of Record, be not duly returned befoze them, at the day of the returne thereof, or that any other default or negligence hath beene bled or had in the not well seruing and executing of the said writ, Then the Iustices of the said Court, shall and may asseſſe such americiament vpon the said Sherife or other Officer, in whom such default shall appeare, as to the discretion of the said Just. shall be thought meet & convenient, which americiament so asseſſed, shall be estreated into the Excheq. as other americiaments hath been bled. 5. Eliz. 23.

What shall be done with the bodie of the Excommunicate.

2 The Sherife or other Officer to whom such writ of Excommunicat capiend or other proces, by vertue of this Act shall be directed, shall not in any wise be compelled to bring the bodie of such person or persons, as shall be named in the said writ and proces into the K. Bench, at the day of the returne thereof, but shall onely returne the said writ and proces thither, with declaration briefly how and in what manner he hath serued and executed the same, to the intent, that thereupon the said Iustices may then further therein proceed, according to the tenor and effect of this Act. 5. Eliz. 25.

If the Sherif returne Non est inuentus.

3 And if the Sherife or other Officer to whom the Execution of the said writ shall so appertaine, doe or shall returne, that the partie or parties named in the said writ cannot be found within his Bailiwicke: Then the Iustices of the K. Bench for the time being, vpon enery such returne shall award one writ of Capias against the said person or persons named in the said writ of Excom. cap. returnable in the same court in the Terme time, two moneths at the least next after the Teste thereof, with a Proclamation to be contained within the said writ of Capias, that the Sherife or other officer to whom the said writ shall bee directed in the full Countie Court, or else at the generall Assises and Gaole delinerie to bee holden within the said countie, or at a quarter sessions to be holden befoze the Just. of the peace within the same Countie, shall make open Proclamation x. daies at the least, befoze the returne, that the partie or parties named in the said writ, shall within five daies next

next after such proclamation, yeeld his or their bodies to the gaole and prison of the said Sherife, or other such Officer, there to remaine as a prisoner, according to the tenor and effect of the first writ of Excom. cap. upon paine of *fozt. of r. l.* And thereupon after such proclamation had, and the said five daies past and expired, then the said Sherife or other officer to whom such writ of Capias shalbe directed, shal make returne of the same writ of Capias into the *h. Bench*, of all that he hath done in the execution thereof, and whether the partie named in the said writ hath yeelded his bodie to prison, or not. And if upon the returne of the Sherife it shall appeare, that the partie or parties named in the said writ of Capias, or any of them, haue not yeelded their bodies to the gaole and prison of *h. said Sherife, or other officer*, according to the effect of the same proclamation: Then euerie such person that so shall make default, shall *foz* euerie such default *foz*feit to the *Qu. her heires and successors r. l.* which shall be likewise estreated by the said Just. into the Exchequer in such manner and forme, as fines and amercements there taxed and assessed, are used to bee. And thereupon the Just. of the *h. Bench* shall also award *foz*th one other writ of Capias against the said person or persons, that so shal be returned to haue made default, with such like proclamation, as was contained in the first Capias, and a paine of *rr. l.* to be mentioned in the said second writ and proclamation. And the Sherife or other Officer, to whom *h. said second writ of Capias shalbe so directed*, shal serue and execute the same second writ, in such like manner and forme, as befoze is expressed *foz* the seruing and executing of the said first writ of Capias. And if *h. Sherife or other Officer* shall returne upon the said second Capias, that he hath made *h. proclamation*, according to the tenor and effect of the same writ, and that the partie hath not yeelded his bodie to prison, according to the tenor of the said proclamation: Then the said partie that shall so make default, shall *foz* such his contempt and default *foz*. to the *Qu. her heires and successors rr. l.* which summe of *rr. l.* the Just. of the *h. Bench* *foz* the time being, shall likewise cause to bee estreated into the Exch. in manner and forme aforesaid. And then the said Just. shall likewise award *foz*th one other writ of Capias against the said partie, with such like proclamation and paine of *fozt. as was contained in the said second writ of Capias*. And the Sherife or other officer to whom the said third writ of Capias shal be so directed, shal serue & execute the said third writ of Capias in such like maner & forme, as befoze in this act is expressed and declared, *foz* the seruing and executing of the said first and second writs of Capias. And if the Sherife, or other Officer, to whom the execution of the said third writ shall appertaine, doe make returne of the said third writ of Capias, that the partie upon such proclamation hath not yeelded his bodie to prison, according to the tenor thereof: Then euery such partie *foz* euerie such contempt and default, shall likewise *foz*. to the *Qu. her heires & successors other rr. l.* which summe of *rr. l.* shall likewise be estreated into the Exchequer, in manner and forme aforesaid. And thereupon the said Justices of the *h. Bench* shall likewise award *foz*th one writ of Capias against the said partie with like proclamation and like paine of *fozt. of rr. l.* And also the said Justices shall haue authoritie infinitely to award such proces of Capias with such like proclamation and paine of *fozt. of rr. l.* as is befoze limited, against the said partie that so shall make default in yeelding of his body to the prison of the Sherife, untill such time, as by returne of some of the said writs befoze the said Justices, it shal & may appeare, that the said partie hath yeelded himselfe to the custody of the said Sherife or other Officer, according to the tenor of the said proclamation. And the partie upon euery default and contempt, by him made, against the proclamation of any of the said writs so infinitely to be awarded against him, shal incur like paine of *fozt. of rr. l.* which shall likewise be estreated in maner and forme aforesaid, *5. El. 2. 3.*

h. l. fozt. fozt. not appearing upon the first Capias.

2. Capias.

3. Capias.

Capias infinit.

4 When any person or persons shall yeeld his or their bodies or bodies into the hands

Excommunication.

The offender
pending his
bodie.

hands of the Sherife, or other officer, vpon any of the said wryts of Capias, then the same partie or parties that shall so yeeld themselves, shall remaine in the prison and custodie of the said Sherife, or other officer, without bayle, baston, or mainprise, in such like manner and forme to all intents & purposes, as hee or they should or ought to haue done, if he or they had bin apprehended and taken vpon the said wryt of Excom. cap. 5. El. 23. S. Returne of Sherifes 9.

The bishops
authoritie.

5 Having and reseruing to all Archbishops and Bishops, and all others having authoritie to certifie any person excommunicated, like authoritie to accept and receiue the submission and satisfaction of the said person so excommunicated, in maner and forme heretofore vsed, and him to absolue and release, and the same to signifie, as heretofore it hath bene accustomed to the Qu. her heires, and successours, into the Chancery, and therupon to haue such wryts for the deliuerance of the said person so absolued and released, from the Sherifs custodie or prison, as heretofore they or any of them had, or of right ought or might haue had: any thing in this statute &c. 5. Eliz. 23.

Proces out of
liberties,
where the D.
wryt runneth,
not.

6 Provided alwaies, that in Wales, the Countie Palantine of Lancaster, Chester, Durham, and Cley, and in the Cinque Ports, being iurisdiccions and places exempt, where the Qu. wryt doth not runne, and proces of Capias from thence not returnable into the R. Bench, after any Significauit being of recozd in þ Chancerie, the tenor of such Significauit by Mittimus, shall bee sent to such of the head Officers of the said countrey of Wales, Countie Palantines, & places exempt, within whose offices, charge, or iurisdiction the offenders shall be resiant: that is to say, to the Chaunceloz or Chamberlaine for the said Countie Palantine of Lancaster and Chester, And for the Cinque Ports to the L. Warden of the same, And for Wales, and Cley, and the Countie Palantine of Durham, to the cheife Justice or Justices there. And thereupon, euerie of the said Justices and Officers to whom such tenour of Significauit with Mittimus shalbe directed and deliuered, shal haue power & authoritie to make like proces to the inferiour officer and officers to whom the execution of proces there doth appertaine, returnable befoze the Justices there, at their next Session or Courts, two moneths at the least after the Teste of euery such proces: so alwaies, as in euery degree, they shall proceed in their Sessions and Courts against the offenders, as the J. of the R. Bench are limited by the tenor of this act, in terme times to do and execute. 5. El. 23.

Certaine per-
sons dischar-
ged of the pe-
naltie.

7 Provided also, that any person, at the time of any proces of Capias afoze mentioned, awarded, being in prison, or out of this realm in the parts beyond the sea, or within age, or of Non sane Memorie, or woman couert, shal not incur any of þ pains or forfeitures afoze mentioned, which shal grow by any return or default happening, during such time of nonage, imprisonment, being beyond the sea, or Non sane Memorie. And that by vertue of this stat. the party grieved may plead euery such cause or matter in bar, of and vpon the distress, or other proces that shall be made for leuying of any of the said paines or forfeitures. 5. El. 23.

Addition.

8 And if the offendour against whom any such wryt of Excom. cap. shall bee awarded, shall not in the same wryt of Excom. cap. haue a sufficient and lawful addition, according to the forme of the stat. of Ann 1. H. 5. in cases of certaine suites, whereupon proces of Exigent are to bee awarded: And if in the Significauit it bee not contained, that the Excommunication doth proceed vpon some cause or contempt, or some originall matter of heresie, or refusing to haue his or their child baptized, or to receiue the holie Communion, as it is now commonly vsed to bee receiued in the Church of England, or to come to diuine Seruice now commonly vsed in the said Church of England, or erroz in matters of religion or doctrine now receiued and allowed in the said Church of Eng. Incontinencie, Vsurie, Symonie, Periurie in the Ecclesiasticall Court, or Idolatrie: that then all and euerie paines and

Causes of ex-
communicatio

and forf. limited againſt ſuch perſons excommunicate by this ſtat. by reaſon of ſuch writ of Excom. cap. wanting ſufficient addition, or of ſuch Significavit, wanting all the cauſes afore mentioned, ſhal be utterly void in law, and by way of plea to be allowed to the party grieved. 5. Eli. 23.

9 And if the Addition ſhalbe with a Nuper of the place: then in every ſuch caſe at the awarding of the firſt Capias with Proclamation according to the forme afore mentioned, one writ of Proclamation (without any paine expreſſed) ſhall be awarded in the countie where the offendor ſhall be moſt commonly reſiant at the time of the awarding of the ſaid firſt Capias, with paine in the ſame writ of Proclamation, to be returnable at the day of the returne of the ſaid firſt Capias with paine and proclamation thereupon, at ſome one ſuch time and court, as is preſcribed for the proclamation upon ſaid firſt Capias with paine. And if ſuch proclamation be not made in the county where the offendor ſhall be moſt commonly reſiant in ſuch caſes of additions of Nuper: then ſuch offendor ſhall ſuſtaine no paine or forf. by vertue of the ſtat. for not peelding his or her body according to the tenor afore mentioned: any thing before ſpecified &c. notwithstanding. 5. Eli. 23.

Addition with a Nuper.

10 The Kings letters ſhal not be ſent to the Ordinarie to abſolve an excommunicate, but where the Kings libertie is prejudiced by the excommunication. Artic. Cler. 9. E. 2. 7.

11 A writ of Excommunicat. capiend. may bee awarded to take a Clerke excommunicate for contumacie, after ſortie daies, & to carrie him forth of the pariſh where he dwelleth. Artic. Cler. 9. E. 2. 12.

1 Excommunication for ſmiting, or laying violent hands in a church or churchyard S. Fighting 3. 4.

2 Excommunication for diſobeying the ſentence of an Eccleſiaſtical Iudge in cauſes of Tithes. S. Tithes 35.

3 Excommunication in the plaintife or demaundant in Attaine is void of plea. S. Attaine 3.

S. Recufants 52. 67. Recufants excommunicated.

Exception.

When any that is impleaded before any Juſtice doth alledge an exception, praying that the Juſt. will allow it, which if they will not allow, if he that alledged the exception, do write the ſame exception, and require that the Ju. wil put to their Seales for a witneſſe, they ſhal ſo do, and if one wil not, another of the company ſhal. And if the Ju. upon complaint made againſt the Juſt. cauſe the Record to come before him, and the ſame exception be not found in the Roll, and the pl. ſhew the exception written under the ſeale of a Ju. the Ju. ſhalbe commanded to be ready at a certaine day, either to confeſſe, or deny his ſeale: And if the Juſt. cannot deny his ſeale, they ſhall proceed to iudgement, according to the ſame exception, as it ought to be allowed or diſallowed. W. 2. 13. Ed. 1. 30.

Execution.

When a debt is recovered or confeſſed in the Ju. Court, or damages awarded, it is in his election which doth purſue for ſuch debt or damages, to ſue a writ of Fieri fac. that is, that the Sherife ſhall levie ſo much of the lands & chattels of the debtor, or elſe an Elegit, viz. that the ſherif ſhal deliver unto him all the goods and chattels of the debtor (ſaving his oren & beaſts of his plough) and the one halfe of his lands, untill the debt be levied upon a reaſonable price and extent, and if hee be put out of the ſame lands, he ſhal recover by aſſiſe of No. diſſ. and after by a writ of Rediſſ. if need be. W. 2. 13. E. 1. 18.

Execution by Fieri facias, or Elegit.

Execution.

Execution of
things recoz-
ded.

2 There shall be no Procees awarded by summons, attachment, essoine, blets of land, and other solemnities of those things which be recorded befoze the Chauncelour oꝝ Justices, and inrolled in the rolles, as is vsed in bargines and covenants made out of the Court: But those things which bee found inrolled befoze them, which haue recozd, oꝝ contained in any fines, whether they bee contracts, covenants, obligations, seruices, oꝝ customes knowledged, oꝝ any other thing inrolled, wherein the Kings Court without offence of law and custome, may execute their authoritie, be of that foꝛce, that it shall not be needfull to plead foꝝ them. But if the knowledge be new, oꝝ the fine leuied within a yeaꝛe, the plaintife shall haue a writ of Execution. And if the cognisance oꝝ fine haue bene of long time, a Scire facias shall bee directed to the Sherife, to warne the partie against whom the complaint is made, to appeare befoze the Just. at a certaine day, and shew why execution should not be made of that which is inrolled oꝝ contained in the fine. And if hee appeare not at that day, oꝝ doe appeare, and can shew nothing why execution should not bee awarded, the Sherife shall be commanded to execute the things inrolled oꝝ contained in the fine. And in like foꝛt shall the Dydnarie be commanded in his case where &c. West. 2. 13. Ed. 1. 45.

A remedie foꝛ
the Cognise
where lands
deliuered him
in execution
be recovered.

3 If any such lands, tenements, oꝝ hereditaments, as shall bee had and deliuered to any person in Execution vpon a Iudgement giuen foꝝ him of his debt oꝝ damages vpon a Statute Merchant, Statute of the Staple, oꝝ Recognisance to him befoze made oꝝ knowledged, oꝝ vpon any lawfull title oꝝ cause wherewith the said lands &c. were liable and bound, at such time as they were deliuered and taken into execution, shall happen to be recovered, lawfully deuasted, taken, oꝝ euicted, from the possession of any such person as shall haue the same in execution, without any fraud oꝝ other default of the tenant by execution, befoze the said tenant, his executors, oꝝ assignes, shall haue leuied oꝝ receiued the said whole debt and damages, foꝝ the which the said lands, &c. were deliuered and taken in execution: Then euerie such Recoueror, Obligee, and Recognisee, shall and may haue & pursue a writ of Scire facias out of the same Court from whence the said foꝛmer writ of Execution did proceed, against such person oꝝ persons as the said writ of Execution was first pursued, their heires, executors, oꝝ assignes, of such lands, tenements, oꝝ hereditaments, as were oꝝ haue bene then liable to the said Execution, returnable into the same court at a certain day, being full foꝛtie daies after the date of the same writ: at which day if the def. (being lawfully warned) makes default, oꝝ appeare, and do not shew and plead a sufficient cause, other than the acceptance of the said lands, &c. by the said foꝛmer writ of Execution, to barre oꝝ discharge the said suit, foꝝ the residue of the said debt and damages remaining vbleuied oꝝ vnreceiued by the said foꝛmer Execution: Then the Lord Chancellor, oꝝ other such Justice oꝝ Justices befoze whom such writ of Scire fac. shall be returnable, shall make eftsoones a new writ oꝝ writs out of the said foꝛmer Recoꝛd of Iudgement, Statute Merchant, Statute Staple, oꝝ Recognisance, of like nature and effect, as the said foꝛmer writ of Execution was, foꝝ the leuying of the residue of all such debt and damages, as then shall appeare to be vbleuied, vnsatisfied, oꝝ vnpaid, of the whole summe in the said foꝛmer writ of Execution contained. 32. H. 8. 5.

A new execu-
tion against
one priuiled-
ged by Parli-
ament.

4 If any person being arrested in Execution, and by priuiledge of either of the houses of Parliament, shall bee set at libertie, the partie at oꝝ by whose suit such writ of Execution was pursued, his Executors oꝝ Administrators, after such time as the priuiledge of that session of Parliament, in which such priuiledge shall be so graunted, shall cease, may sue foꝛth and execute a new writ oꝝ writs of Execution, in such maner and foꝛme as by the law of this Realme hee oꝝ they might haue done, if no such foꝛmer Execution had bene taken foꝛth oꝝ serued. And no Sherife, Bailife, oꝝ other Officer, from whose arrest oꝝ custodie any such person so arrested

in execution, shall be delivered by any such privilege, shall be charged or chargeable with or by any action whatsoever, for delivering out of execution any such privileged person, so as is aforesaid, by such privilege of Parliament set at libertie: Any law, custome, or privilege, heretofore to the contrary notwithstanding: But this act shall not extend to the diminishing of any punishment to be hereafter by censures in Parliament inflicted upon any person which hereafter shall make, or procure to be made such arrest, as is aforesaid. 1. Jac. 13.

No charge shall be to him from whom the prisoner is delivered.

5 No execution shall be stayed, or delayed, upon, or by any writ of Error, or Superseas thereupon to be sued, for the reversing of any Judgement given, or to be given, in any action, or bill of debt, upon any single bond or debt, or upon any Obligation with condition for the payment of money onely, or upon any action, or bill of debt for rent, or upon any contract sued in any of his Highnesses Courts of Record at Westminster, or in the counties Palatine of Chester, Lancaster, or Durham, or in his Highnesses Courts of great Sessions in any the twelve Shires of Wales: unless such person or persons, in whose name or names such writs of Error shall be brought, with two sufficient sureties, such as the Court wherein such Judgement is, or shall be given, shall allow of, shall first before such stay made, or Superseas to be awarded, be bound unto the parties for whom any such Judgement is or shall be given, by Recognisance to be acknowledged in the same court, in double the sum adjudged to be recovered by the said former Judgement, to prosecute the said writ of Error with effect: And also to satisfy and pay (if the said Judgement be affirmed) all and singular the debts, damages, and costs, adjudged, or to be adjudged upon the former Judgement: And all costs and damages to be also awarded for the same delaying of Execution. 3. Jac. 8. To endure untill the end of the first Session of the next Parliament.

In what only case execution shall be stayed by writ of Error.

1 How much a Sherife or his Officers may take for serving of Execution. S. Sherifes 35.

Executors.

Executors shall have a writ of Accompt, and like Action and Process in the same writ, as their Testator should have had if he had lived. West. 2. 13. Ed. 1. 23. And Executors shall have an Action of Trespasse against the Trespassors, for a trespass done to their Testator, of the goods & cattels of the same Testator carried away in his life time, and shall recover their damages in such maner as he whose Executors they be, should have done if he had lived. 4. Ed. 3. 7.

A remedie for Executors for things done in the life of the Testator.

2 Executors of Executors shall have an action of Accompt, of Debt, and of goods taken away of the first Testators, and execution of Statutes merchants, and Recognisances knowledged in Court of Record to the first Testator, in the same maner as the first Testator should have had if he had lived. And the same Executors of Executors shall answer other men so much as they have recovered of the goods of the first Testators, as the first Executors should have done if they had lived. 25. Ed. 3. 5.

Executors of Executors.

3 Where part of the Executors named in any Testament of any person making any Will of any lands, tenements, or other hereditaments, to be sold by his Executors after the death of any such testator, doe refuse to take upon him or them the administration and charge of the same testament, wherein they be so named to be Executors, and the residue do take upon them the charge of the same testament: then all bargaines and sales of such lands, &c. (so willed to be sold, by the Executors of any such Testator) made by him or them only, if the said Executors, that so doth take upon him or them any such cure or administration of any such Will, shall be good and effectual in the law, as if also the residue of the same Executors, named

Part of the Executors may sell the land devised to be sold.

Executors. Exemplification.

in the said testament had ioined with him or them in the making of the bargain and sale of such lands, tenements, or other hereditaments, so willed to be sold, by the Executors of any such Testator which shall make such Will. 21.H.8.4.

**Fourcher by
Cfnoine.**

**The executor
which first ap-
peareth shall
answere.**

**Sernants
imbeciling the
Testators
goods.**

4 In a writ of Debt brought against diuers Executors, they shall not fourch by Cfnoine befoze apparance nor after, so that they shall haue but one Cfnoine, as their Testator should haue had. And the Executor or Executors, which doe first appeare at the grand distresse returned, shall answer the plaintiff, and if iudgement passe for the plaintiffe, the iudgement and execution shall be against them which haue pleaded, and all the residue named in the writ, of the goods of the Testator, as if they had all assented to plead. 9.Ed.3.3.

5 Executors shall haue a writ out of the Chauncerie, by the aduice of the Chauncelo, two chiefe Just. and the chiefe Baron of the Exchequer, with two Proclamations returnable into the B. Bench, against such household seruants of the Testator as haue spoiled or elained the goods of their master, after the death of the Testator. And if the writ be returned serued, and the defendants make default, they shall be attainted of felonie. And if they appeare, they shall be committed to prison, there to remaine at the discretion of the Just. untill the offenders do answer to the said executors in such actions which the said executors will declare against them, or any of them, by bil, or writ, for the riot, taking, & spoiling aforesaid, and that the same actions be determined, so that such actions be pursued with effect, and not slackely, to retaine the same persons in prison. And if the same persons be enlarged out of prison, by the said J. then they shall find sureties to the Executors by recognisance, to keepe such daies as they shall haue assigned by the court. And if the keeper of the prison wherunto they shall be committed, do let them go at large, without order of the Ju. then the said keeper shall forfeit xl. s. to the executors. For Protection shall lie in any action vpon this statute. 33.H.6.1.

1 How Executors shall recouer rents due in time of their Testator. S. Rents 1.

2 The fathers Executors be bound to satisfie the daughter of ayd receiued. S. Aid &c. 1.

3 Executors may maintaine a writ of Idempnitie nominis. S. Sherifes 23.

4 Ordinaries shall answer as Executors as farre as the goods will extend. S. Ordinarie 1.

5 The mony or profit of lands willed to be sold, shall not be takn as any of the goods of the Testator. S. Probat &c. 8.

6 What Executors or others shall pay to the Ordinary for the Probat of Testament. S. Probat 1. 2. 3.

7 Where the heire being charged shall haue remedy against his ancestors Executors. S. Accompt. to the K. 27.

8 Where the Executors of the K. or Q. of this realm, and where the heire shall haue the specialties not paid &c. S. Accompt. to the K. 2.

9 The K. may charge the heire or Executors of his debtor. S. Accompt. to the King 6.

Exemplification.

**Exemplifica-
tion of the
L. Patents.**

Euerie Patentes, his heires, successors, executors, and assignes, and euerie other person hauing by, from, or vnder his or their title, any estate or interest, of, in, or to lands, tenements, hereditaments, or other thing whatsoever, to such Patente heretofore graunted by any Letters Patents, by any K. or Qu. of this Realme, at any time sithence 4. Februarij Añ 27. H. 8. or hereafter to be graunted by the Qu. Maiestie, her heires or successors, shall and may at all times in the Qu. Courts &c. and elswhere, make and conuey to and for himselfe, such claims or title by way of declar

declaration, plaint, barre, answrie, replication, or other pleading whatsoever, as well against the Du. &c. and euerie other person for or concerning the lands, hereditaments, or other things contained in such Letters Patents, or for or concerning any part thereof, by shewing forth an Exemplification or Constat under the great Seale of England, of the inrolment of the same Letters Patents, or of so much thereof as may serue to, or for such title, claime, or matter (the same letters patents then remaining in force not lawfully surrendred or cancelled) for and concerning so much, & such part of such lands &c. whereunto such title or claime shall be made, as if the same Letters Patents were pleaded and shewed forth. 13. Eliz. 6. 3. Ed. 6. 4.

1 No fines or recoveries shall be amended after Exemplification thereof. S. Fines 28. 37.

2 Exemplification of Records in Wales. S. Wales 20.

Exigent and Outlawrie.

Such Proces shall be made in a writ of Debt, and Detinue of cattels, and taking of beasts by writ of Capias, and by proces of Exigent by the Sherifes returne, as is used in a writ of Accompt. 25. E. 3. 17. No Exigent shall be awarded where a man is indicted of trespass (except it be against the peace.) 18. E. 3. 5.

2 Where the plaintife doth recover damages, and he against whom the damages be recovered is Outlawed at the B. suit, no charter of pardon shall be granted of his Outlawrie, except the Chancelor of England be certified that the plaintife is agreed withall for his damages. 5. E. 3. 12.

3 Where a man is Outlawed by proces before hee doth appeare, no charter of pardon shall be granted, except the Chancelor be certified that he which is outlawed hath yeelded himselfe to prison before the J. of the court from whence the Exigent was awarded, that is, if from the B. Bench, then he shall render himselfe to the same Court, if from the Common pleas, then he shall render himselfe thither, and if from Just. assigned to heare and determine, sitting the same Justices he shall yeeld himselfe before them, and if they be risen, then he shall yeeld himselfe in the B. Bench before the Just. and the record and proces shall be remoued before them by writ. And the Just. before whom they shall so yeeld themselves, shall cause the plaintife to be warned to be at a certaine day before them, at which day if the warning be duly witnessed or certified, and the plaintife doe appeare upon the same warning, then they shall plead upon the first originall writ, as though no outlawrie had been pronounced, and if the plaintife come not, he that is outlawed shall be deliuered by virtue of his charter. 5. E. 3. 12.

4 If any man will defeat an Outlawrie pronounced against him, by reason of imprisonment certified by the Sherif or others which haue no Record, he shall yeeld himselfe to prison, and then the J. of the B. Bench shall cause the parties to be warned, at whose suit that outlawrie was pronounced, to be before them at a certaine day, at which day if the party will auerre, that the certificat is untrue, his auerment shall be receiued: And in like manner shall the B. Seriant or Attorney or any other that will sue for the B. be receiued to haue such auerment against such certificat, where the outlawrie is pronounced at the kings suit. 5. E. 3. 13.

5 If, & where a writ of Exigent shall be awarded at the suit of the king or any other plaintife in any action personall against any person, called of any shire or citie being a shire or port of it selfe, or else late of any such shire or citie, other then into such shire or citie, whereinto such Exigent shall be awarded, to be called according to the Lawe: and also in every writ of Exigent in any action personall, whereof the proces or Exigent shall be directed into London or Middlesex, the defendant being called late of London, or late of Middlesex, & at the time of the Exigent

Exigent in trespass contra pacem.

No pardon of Outlawrie without agreement with the plaintife.

No pardon of Outlawrie before the party doth yeeld himselfe to prison.

Outlawrie defeated by imprisonment.

Proclamations awarded into a foreign Countie.

Exigent and Outlawrie.

**Proclamati-
ons where the
party is dwell-
ing in a coun-
ty Palatine.**

**Three Pro-
clamations.**

**The Procla-
mations shall
be delivered to
the Sherife of
record.**

**Outlawrie a-
voided by A-
uerment.**

**A Proclama-
tion vpon an
Exigent a-
gainst any
person dwell-
ing in wailes
oz in Lanca-
shire, Cheshire
oz Chester.**

gent awarded, not dwelling in London nor in Middlesex, or else that the said defend-
dant or defendants, in the same Exigent, dwell in any other Shire or place, then
where the R. writ runneth: then the Ju. before whom any such Exigent is to be a-
warded, in all actions where the Exigent shall not be directed into London or Mid-
dlesex, shall award a writ of Proclamation to be directed to the Sherife of the same
countie, where it doth appeare by the bing of such action, that the party defendant
is, or lately was dwelling, if the R. writ there be currant, or else to the next Shire
adiopning to the countie or counties, or other places whereof the partie is called,
or lately supposed by the said Exigent to haue his being, where the R. writ so run-
neth not: and in euery action whereof the Exigent shall be directed into London or
Middlesex, and the defendant in the same called late of London or Middlesex, and
at the time of the Exigent awarded not dwelling in London or Middlesex: Then
the writ of Proclamation shall be directed vnto the Sherife of the Shire where the
defendant at the time of the Exigent so awarded shall haue his dwelling, or in case
where the R. writ runneth not, vnto the next Shire thereunto adioynning, the which
said writ of Proclamation shall containe the effect of the same action, and the She-
rife of the Countie to whom any such writ of Proclamation shall be directed, shall
make three Proclamations within his Countie, at three severall daies, viz two in
the full Shire Court of the same Countie, and the third at the generall Sessions in
those parts, where the partie defendant is supposed to be dwelling, or in the parts
of the Countie next adioynning to the Countie or Counties where the R. writ run-
neth not, that the party defendant peeld himselfe to the Sherife of the fozein Coun-
tie, to whom any such Exigent in any Action personall is awarded, so that the She-
rife of fozeine Countie, may vpon his peelding, haue his bodie before the Just.
before whom any such Exigent is awarded at the day of the same Exigent compzi-
sed, there to answer to the plaintiff in the same according to the law. And euery such
writ of Proclamation shall haue the same day of returne, as the writ of Exigent
vpon such fozeine actions so awarded shal haue, & euery such writ of Proclamation
shal be deliuered of Record to the Sherife or deputie of the Countie into the which
any such writ of Proclamation is to be awarded, & the Sherife of the same Countie
shall duely execute the same, and thereof make true returne at the day of the same
writ appointed, vpon paine to forfeit such amerciament vnto the R. and his heires,
as by the Just. before whom such Exigent shal be returnable, shal be set. And the of-
ficer in whose office such Exigent is taken, shal make out of the said writ and writs
of proclamation as shal be awarded in any of the said Courts, and shall take no
more for the making of any such writ, and the entring of the same of record, but on-
ly by R. And if any Outlawrie be had, or promulged against any person in any acti-
on personall in any fozeine Countie, and no writ of proclamation (as is aforesaid) a-
warded and returned, then euery such Outlawrie shal be utterly void. And al Out-
lawries had contrarie to this Act shal be anoided by Auerment, without suing of a-
ny writ of Error. 6. H. 8. 4. S. Indictments 2. 3.

6 Whensoever any writ of Exigent shal be awarded at the suit of the R. or any
other person plaintife in any action or suit in the R. Bench, or Common pleas, a-
gainst any person dwelling in any of the twelue Counties in Wales, or in any of
the Counties Palatine of Lancaster, Chester, or the Citie of Chester then im-
mediatly vpon the awarding of euery such Exigent, the Justices before whom any
such Exigent shall be sued &c. haue authoritie to award one writ of Proclama-
tion, according to the tenor and effect of Proclamations awarded vpon Exigents di-
rected out of any of the said courts into London, or into any other Shires with-
in this Realme, against any other person dwelling in any other Shire where the
Kings writ is currant, according to the order and forme of the foresaid Statute 6.
H. 8. to be directed to such of the Sherifes of any of the foresaid counties in Wales,
and

and of Lancaster, Chester, and of the citie of Chester, where it shal happen the said defendant against whom the said action shalbe sued, to be dwelling. (But of the writs directed to the Sherife of the Countie of Lancaster, none shall be directed to the Sherife of any other Countie next adioyning, according to the foresaid Stat. of 6.H.8. 5.Ed.6.26.) And every such writ of Proclamation shall have the same Teste, and day of returne, as the Exigents, whereupon every such writ of Proclamation shalbe awarded, shall have: and every Sherife to whom any such writ of Proclamation shalbe directed, shall make Proclamation of the said writ of Proclamation, according to the tenor of the same, and shall make true returne of the same in such Court, and before such Justices, as the tenor of the same writ shall require. And all Outlawries pronounced or promulged against any person upon any Exigent awarded against any person dwelling in any of the said Counties, and no writ of Proclamation awarded in forme abovesaid to the Sherife of the Countie where the partie defendant shall be dwelling, or not returned, shall be void. 1.E.6.10. 5.E.6.26.

7 Cuerie Sherife of euery of the said counties of Wales, and the counties Palantine of Lancaster, Chester, and of the citie of Chester, shall haue in euery of the courts of the R. Bench, and Common pleas, one sufficient Deputie at the least, to receiue all writs directed to such Sherife, for whom the same deputie or deputies shalbe appointed, in like manner and forme, and upon like paines, as by the lawes and Stat. of this Realme, other Shirifes of other Shires, within this Realme of England be bound to haue in either of the same Courts. And all writs of Proclamation shalbe deliuered vnto every such deputie of Recoꝝd in the same Courts. And also like fees shalbe paid for making every such writ of Proclamation, and for the inrolling of the same of recoꝝd, as is before limited in the Stat. of 6.H.8. 1.E.6.10. 5.E.6.26. 23.H.6.10. S. Sherifes 10. Wales 49.

These Sherifs shall haue deputies in the Common place and R. Bench.

8 If any such writ of Proclamation directed to any of the Sherifes of any of the said ry. Shires in Wales, or Counties Palantine &c. be deliuered to any of the said Sherifes, or to his deputie, and the same Sherife doe not make true returne thereof into such Court, out of the which the said writ of Proclamation shalbe awarded, he shall for. for every default of non-returne to the R. and J. b. p. to be recovered by A. wherein no W. &c. C. p. &c. 1.E.6.10. 5.E.6.26.

The Sheriffs for. for not returning a writ of Proclamation.

9 If any person dwelling in any of the said Counties in Wales, shalbe outlawed in any suit or action aforesaid, then writs of speciall Capias velagatum, single Capias velagatum, Non molestandum, and all other proses for and against any person outlawed, shall & may be directed to the Sherife of any of the Counties in Wales, as immediat officers of the Courts of the R. Bench, or Common pleas in that behalfe. And every such writs may be deliuered of recoꝝd to the deputy of such of the said Shirifes, to whom any such writ or proces shalbe directed. And every such Sherife shall make execution and returne of every such writ or proces to him directed, upon paine to for. to the R. and his heires such amerciements, as by the discretion of the J. before whom such writ shalbe returnable shalbe set. 1.Ed.6.10.

Proces against persons outlawed.

10 If any person dwelling in the Countie Palantine of Lancaster, shalbe outlawed in any such suit or Action, as is aforesaid, then all writs of speciall Capias velagatum, single Capias velagatum, Non molestandum, and all other proses for, or against any person so outlawed, shall and may be directed to the Chancelloꝝ of the Duchy of Lancaster, who shall make like writs and proses thereupon, and of like effect, sealed with the seale of the said county Palantine of Lancaster, to be directed to the Sherife of the said Countie Palantine for the time being, as it hath been used in such cases. 5.E.6.26.

Proces directed to the Chancelloꝝ of the Duchie.

11 But these two Statutes, nor any thing in them contained, shall extent or be preiudiciall to any Lord Marcher in Wales, nor to any of their heires, nor to the said

Exigent and Outlawrie.

said twelue Counties of Wales, noꝛ to the said Counties Palatine of Lancaster, Chester, oꝛ the Citie of Chester, concerning such Liberties, Franchises, oꝛ Priviledges, as belong to any of them, noꝛ to any Ministers oꝛ Officers of any of them in other manner then by the true meaning of these Acts is declared. 1. Ed. 6. 10. 5. Ed. 6. 26.

Exigent upon the Statute of Liveries.

12 No Exigent shall be awarded by the Justices within the Counties Palatine of Lancaster oꝛ Chester, oꝛ the Bishopricke of Durham, against any person, upon any information, suit, oꝛ proces, to be made by force of the Statute provided 8. Ed. 4. against giving of Liveries oꝛ Badges, and retaining. And if any Exigent be awarded, and Outlawrie thereupon pronounced, then the same shall be void, without any suit by writ of Error, oꝛ otherwise. 8. Ed. 4. 2.

Proclamation in personall actions.

13 In every action personall, wherein any writ of Exigent shall bee awarded out of any Court, one writ of Proclamation shall be awarded and made out of the same Court, having day of Teste and returne, as the said writ of Exigent shall have, directed and delivered of record to the Shirefe of the County, where the defendant, at the time of the Exigent so awarded, shall be dwelling, which writ of Proclamation shall containe the effect of the same action. And the Shirefe of the Countie unto whom any such writ of Proclamation shall be directed, shall make thre Proclamations in this forme following, and not otherwise: that is to say, one of the same Proclamations in the open County Court, one other of the same Proclamations, at the general Quarter Sessions of the peace in those parts where the partie defendant at the time of the Exigent awarded shall be dwelling, and one other of the same Proclamations shall be made (one moneth at the least before the quint exact. by vertue of the said writ of Exigent) at, oꝛ neere the most small doore of the Church oꝛ Chappell of that Towne oꝛ Parish, where the defendant shall be dwelling at the time of the said Exigent so awarded: And if the defendant shall be dwelling out of any parish, then in such place as aforesaid, of the Parish in the same County, and next adjoining to the place of the defendants dwelling, & upon a Sunday immediately after Divine Service and Sermon (if any Sermon there be) and if no Sermon there be, then forthwith after Divine Service. And all Outlawries had and pronounced, and no writ of Proclamation awarded and returned according to the forme of this Statute, shall be utterly void and of none effect. And the Officer in whose Office such writs of Exigent and Proclamation shall be made, shall and may take such fees, as by the Stat. made 6. H. 8. (S. 5.) is limited and appointed in that behalfe, and no greater fees in any wise. And the Shirefe for making of the Proclamation at oꝛ neere to the Church oꝛ Chappell doore, as is aforesaid, shall have xij. d. 31. Eli. 6.

The defendant upon a writ of Error, bound to answer the plaintife, and to satisfie the condemnation

14 Before any allowance of any writ of Error, oꝛ reverſing of any Outlawrie be had, by plea oꝛ otherwise, through, oꝛ by want of any Proclamation to be had & made, according to the forme of this Stat. The defendant and defendants in the original action, shall put in baile, not only to appeare and answer the plaintife in the former suit, in a new action to be commenced by the said plaintif, for the cause mentioned in the first action, but also to satisfie the condemnation, If the plaintife shall begin his suit before the end of two Termes next after the allowing of the writ of Error, oꝛ otherwise avoyding of the said Outlawrie. 31. Eli. 3.

A writ of Proclamation upon an Exigent against any person dwelling in the bishopricke of Durham

15 Whensoever any writ of Exigent shall be awarded at the suit of the Du. her heires oꝛ successors Kings and Queens of this Realm, oꝛ at the suit oꝛ suits of any other person oꝛ persons, plaintife oꝛ plaintifes, in any action oꝛ suit in any of the Courts of the Kings Bench, oꝛ Common Place, against any person oꝛ persons, dwelling within the Bishopricke of Durham, Then immediatly upon the awarding of every such Exigent, the Justice oꝛ Justices before whom any such writ of Exigent upon such suit oꝛ action shall bee sued, shall have authoritie by vertue of this

this Act, to award one writ of Proclamation, according to the tenor and effect of Writs of Proclamation awarded upon Exigents (and commonly directed out of any of the said Courts into London, or into any other Shires of this Realme, against any other person or persons, dwelling in other Shire or Shires of this realme, where the Qu. writ doth run, according to the order and forme of the Act made 6. H. 8.) to bee directed to the Bishop of Durham for the time being, and during the vacation of the Bishopricke, then to the Chancelor of the said Bishopricke, or Countie Palantine for the time being, where it shall happen the said defendant, against whom any such action shall be sued, as is aforesaid, to be dwelling, & not to the Sherife of any other Shire next adjoining to the said Bishopricke, or Countie Palantine (any law, custome, or usage, heretofore used to the contrary notwithstanding.) And every such writ of Proclamation so to be hereafter awarded, to such Bishop, or Chancelor of the said Bishopricke, or Countie Palantine, shall have the same Telle, and day of returne as the Exigents whereupon every such writ of Proclamation shall be awarded, shall have. And every such Bishop, or Chancelor, to whom any of the said writs of Proclamation shall be directed, shall by his or their Mandat, directed to the Sherife of the said Countie Palantine, cause Proclamation to be made of the same writs of Proclamation, according to the tenor of the same, & shall make true returnes of the same, in such Court and Courts, and before such Justices, as the tenor of the same writ and writs of Proclamation shall require and demand. And all Outlawries hereafter to be promulged, or pronounced against any person or persons upon any such Exigent, or Exigents, awarded against any person or persons dwelling within the said Bishopricke or Countie Palantine, and no Writs of Proclamation awarded in forme aforesaid to the Bishop, or Chancelor aforesaid, where the partie defendant shall be, as is aforesaid, dwelling, or not returned as aforesaid, shall be clearly void, and of none effect nor force in the Law.

31. Eliz. 9.

11 Every Bishop of the said Bishopricke for the time being, and during the vacation of the said Bishopricke, the Chancelor of the said Countie Palantine for the time being, shall have in every of the said Courts of the B. Bench, and Common Pleas, one sufficient deputie at the least, to receive all such writs of Proclamations, which shall be hereafter directed to every such Bishop or Chancelor of the said Bishopricke or Countie Palantine, for whom the same deputie or deputies shall be appointed, in like manner and forme, and upon like paines, as by the former statutes and lawes of this Realme, the Sherifes of other Shires or Counties within this Realme of England, be bound to have in either of the same Courts. And all such writs of Proclamation as aforesaid shall be delivered unto every such deputie or deputies of Record in the same Courts, and either of them, and also the like fees shall be paid for making of every such writ of Proclamation, and for inrolling the same of Record, as is limited in the same statute made 6. H. 8. 31. El. 9. S. r.

17 If any such writ or writs of Proclamation, directed to the Bishop or Chancelor of the said Bishopricke or Countie Palantine, be delivered unto any of the said Bishops for the time being, or (during the vacation of the said Bishopricke) to the Chancelor of the said Countie Palantine for the time being, or to his or their deputie or deputies in manner and forme aforesaid, and the same Bishop for the time being, or (during the vacation of the said Bishopricke) the said Chancelor of the said Countie Palantine for the time being, doe not make true returne of every such writ and writs of Proclamation to them directed, into such Court and Courts, out of which the said writ or writs of Proclamation shall be awarded: For every such default of non-returne, every such Bishop for the time being, and (during the vacation of the said Bishopricke) the said Chancelor for the time being, so failing to make due returne, shall forfeit. v. l. to the Qu. and A. to be recovered by A. of debt to be grounded

The bishop of Durham shall have a deputie in certaine Courts

The penalty if the Bishop or Chancelor do not returne the proclamation.

Exigent and Outlawrie.

Extortion.

Exaction.

Provision for
the Bishops
Liberties.

grounded upon this Act, wherein no C. 10. c. 3. 1. Eliz. 9.

18 This Act shall not extend or be prejudicial to any Bishop of the said Bishopricke of Durham, for or concerning such Liberties, Franchises, or privileges as belong to the same Bishops Bishopricke, or Sea, or to any Ministers or Officers of the same Bishopricke or Countie Palatine, otherwise, or in any other manner then by the true meaning of this Act is before provided or declared: Any thing in this Act notwithstanding. 31. Eliz. 9.

To whom
writs of Out-
lawry &c shall
be directed as
gainst any per-
son within the
Bishopricke.

19 If any person or persons dwelling within the said Bishopricke, or Countie Palatine, shall be outlawed in any suit or action, wherein Proses of Outlawry doth lie, then all writs of speciall Capias velagatum, single Capias velagatum, Non molestandum, and all other Proses, for or against any person or persons so outlawed, shall and may from henceforth be directed from time to time, to the Bishop of the said Bishopricke and Countie Palatine for the time being, and (during the vacation of the said Sea) to the Chancelor there for the time being, who shall make like writs and proses thereupon, and of like effect, sealed with the said seale of their Offices, to be directed to the Sherife of the said Countie Palatine for the time being, as heretofore hath bene used and accustomed in such cases. 31. Eliz. 9.

One fee for the
Proclamation
and Mandat.

20 Upon any writ of Proclamation to be awarded by vertue of this Act, and the mandate thereupon to be made to the Sherife, and the execution thereof, there shall be but one onely fee taken, received, or demanded for the same, by the said Bishop, Chancelor, and Sherife of the said Countie Palatine for the time being. 31. Eliz. 9.

1 No Exigent shall be awarded against the accessarie, vntill the principall bee attainted. S. Appales 3.

2 Where an Exigent is to be awarded, there shall bee addition to the defendants name. S. Addition 1.

3 Proses of Outlawrie awarded against offenders in Treason being, out of this Realme, shall be good. S. Treason 11.

4 Where one that is supposed to be outlawed, shall auoid the seisure of his lands and goods, by entring into bond to the Sherife &c. S. Sherifes 23.

5 The Indicttee shall forfeit his cattels by Exigent against him awarded. S. Indictments 5.

6 Where an Exigent shall be awarded against an Accomptant. S. Accompt 2.

7 Outlawrie of the plaintife in Attaint in a personall action, or cause, is no plea. S. Attaint 3.

S. 18. Ed. 3. Declaration of Exigents.

Extortion. Exaction.

Officers.

If any Sherife, Coroner, or other Officer of the Kings, doe take any thing to doe his Office, but onely that which the King alloweth him, he shall render double to the partie, and shall bee punished at the Kings pleasure. Westminst. 1. 3. Ed. 1. 26.

Sherieant,
Crier,
Marshall.

2 If the Sherieant, Crier, or Marshall of any Justice do wrongfully take money of any which doth recouer land, obtaine his suit, leaue a fine, or prosecute any suit, touching any plea of the Crowne, he shall be punished at the Kings pleasure, and yeeld treble damages to the party grieved And if it be a Sherieant of see, his Office shall be seised into the Kings hands. West. 1. 3. Ed. 1. 26.

Sherifes.

1 For Extortion by the Sherife, Bailife &c. for arresting, for letting to baile, making of Panels, or granting of Copies S. Sherifes 6. 7. 8. 9.

Auditors.

2 For Ex. by Auditors, or their Clerkes. S. Auditor &c. 2.

Receivers.

3 For Ex. by Receiuers, or their Deputies. S. Auditor &c. 3.

4 For

- 4 For Ex.by them which make dispensations, faculties, licences, or other such instruments. S.Dispensations 1. *Dispensation.*
- 5 For Ex.by them which haue spirituall iurisdiction, or any substitute or minister of theirs for Citations. S.Citation 3. *Judges Spirituall.*
- 6 For Ex.by the Clerke of the Signet or priuie Seale. S.Clerke of the Signet 8. *Clerke of the signet.*
- 7 For Ex.of Masters, Wardens of Fellowships or Crafts, vpon any Apprentice, or other, whose Prentiship is expired. S.Corporations 4. *Wardens of Fellowships.*
- 8 For Ex.by any Coroner. S.Coroner 15. *Coroner.*
- 9 For Ex.by those which haue Commissions to leuie Musters, or make men serue in the war. S.Captaines &c. 14. *Musters.*
- 10 For Ex.by Clerkes of the Exchequer, of any Bishop, or other, that hath the receipt of Tenth. S.Exchequer 2. *Clerks of the Exchequer.*
- 11 For Ex.in Wales for gathering of Commorths without the Commissioners of the Marches consent. S.Wales 104. *Wales.*
- 12 For Ex.vpon them which trauaile through Forests in Wales. S.Wales 112. *Wales.*
- 13 For Ex.by Eschetors, finding Offices of lands. S.Eschetors 3.9. *Eschetors.*
- 14 For Ex.in the chiefe Clerke of the Common place, for the entring of the record of any fine. S.Chirographer 2. *Custos breuiu.*
- 15 For Ex.in the Chirographer of the Common place, his Deputie, or Lieutenant, S.Chirographer 1. *Chirographer*
- 16 For Ex.by the Admirall, or any Officer of the Admiraltie, of any merchant or fisherman for licence &c. S.Fish 2. *Admirall.*
- 17 For Ex.by the Officers of the court of Wards and Liueries. S.Wards 28. *Wards.*
- 18 For Ex.in such as take any thing for thereport of any cause referred vnto them. S.Iustice 2. *Reports.*
- 19 For Ex.in the Marshall or any of his Officers. S.Marshall 6. *Marshall.*
- 20 For Ex.taken by the head Officers of any borough of merchants, for scauage and shewage. S.Merchants 2. *Officers of Boroughs.*
- 21 In what sort Ordinaries shalbe indicted of extortion or oppression. S.Ordinaries 2. *Ordinaries.*
- 22 For Ex.by Ordinaries for prouing of Wils, or committing of Administration. S.Probate of Testament 12. *Ordinaries.*
- 23 For Ex. in the Maior, Recorder, Steward, or Iust. of P. in Norwich, for admitting any person to occupie the arts of making Hats, Couerlets, or Dornikes. S.Hats 1. *Norwich.*
- 24 For Ex.for taking, writing, inrolling, or certifying a Recognisance in nature of a statute Staple. S.Statutes 13. *Recognisance*
- 25 For Ex.by Clerkes of the Market. S.Clerke of the Market 1. *Clerke of the Market.*
- 26 For Ex.in taking money for obligations or acquitances for first fruits. S.Ecclesiasticall persons 25. *First fruits.*

Faïres and Markets

They which haue Faïres by Charter, or otherwise, shall hold them no longer than they ought to do, vpon pain of seisure of the same to the K. vntil they haue made fine vnto him for the said offence. And euery owner of a Faïre, shal proclaime at the beginning thereof, how long it shall last, and after the said time euery merchant shal buy by his Booth, and Stall, and if any merchant do sell any wares or merchandise at the said Faïre, after the same be ended, he shall forfeit the double value of that which he hath sold, to the K. &c. And euery one that will sue for the K. shall be received, and shall haue the fourth part of that which is so lost at his suit. 2.Ed.3.15. 5.Ed.3.5.

2 If any Faïres or Markets be kept vpon good Friday, Corpus Christi day,

¶ 9

Ascen.

No man shall keepe a Faïre longer than he ought.

Faires and Markets.

Certain daies
wherein faires
and markets
may not be
kept.

Ascension day, All Saints day, the day of the Assumption of our Ladie, Whitsun-
day, Trinitie Sunday, or other Sunday (the foure Sundaies in Yareest excepted)
and any goods or merchandize in them be shewed (necessarie vntuall only excepted)
the owners shall forfeit all their goods shewed, to the Lord of the Libertie, or Fran-
chise, where such goods contrarie to this Ordinance shall be shewed. But they which
haue no power to keepe Faire or Market, but vpon such daies, may keepe it within
thre daies before or after any of the said Feasts, after Proclamation first made,
what day the Faire shall be holden. 27. H. 6. 5.

In euerie
Court of Dis-
polders the
pl. shall be
sworne &c.

3. If any Steward, Understeward, Bailife, or other Officer or Minister of a-
ny Court of Dispolders, pertaining to a Faire, will hold plea vpon an Action, at
the suit of any person, vntlesse the plaintife or his Attorney doe in presence of the
defendant sweare vpon the holie Euangelists vpon his declaration, that the con-
tract, or other fact contained in the declaration, was made or committed within the
time, iurisdiction, and bounds of the same Faire, he shall forfeit C.s. to the King
and him that will sue by Action of D. for if the plaintife refuse the foresaid oath,
the defendant ought to bee dismissed out of the same Court, and the plaintife shall
take his remedie at the Common Law &c. But though the plaintife do affirme the
same, yet the defendant shall not be concluded, but shall answer and plead to the ac-
tion, or in abatement of the plaint, and proffer an issue, that the same contract, tres-
passe, or other fact was not committed within the time of the Faire, or iurisdiction
of the same, but elsewhere &c. But this Statute shall not preiudice the Bishop of
Durham, or his Successors, within the liberties of his said Bishopricke. 17. E. 4. 2.
1. R. 3. 6.

A place ap-
pointed for
Horse Faire.

4. If the Owner, Gouernor, Farmer, Steward, Bailife, or chiefe Keeper of any
Faire or Market ouert, where Horses, Mares, Geldings, and Colts haue been and
shall be used to be sold, do not yearely appoint one speciall open place within the
towne, place, field, or circuit, where horses, mares, geldings, or colts, shall bee sold,
and also one sufficient person or more to take toll, and to continue in the same place
from ten of the clocke in the forenoone, vntill the Sunne be set daily, during the
continuance of the said Faire, he shall forfeit. for euerie default xl.s. to the Qu. & J.
to be recovered before the Iustices of peace, or by A. J. &c. wherein no W. &c. C. P.
&c. 2. & 3. P. & M. 7.

When, where,
and of whom
toll for horses
shall be taken.

5. The Toll gatherer of euerie Faire or Market, shall take his lawfull toll for
euerie horse, mare, gelding, and colt, sold, exchanged, or put away in the said Faire
&c. and at the open place appointed for the sale of horses, betwixt the houres of x. in
the forenoone, and the Sunne set, if it be tendered, and at no other time or place, and
shall haue before him the parties to the bargain, at the taking of the Toll, and also
the horse &c. sold, and shall write the names, surnames, and dwelling places of the
parties, and the colour, and one speciall marke of the horse, or else he shall forfeit for
euerie default xl.s. to the Qu. and J. to be recovered before the Iustices of P. or by
A. J. &c. wherein no W. &c. C. P. &c. For the sale of any stolen horse &c. in a Faire
or Market, shall not take away the proprietie from the owner thereof, except the same
horse be openly ridden, led, walked, driven, or kept standing by the space of one houre
at the least, betwixt ten of the clocke in the morning, and the Sunne set, in the
open place of the Faire, where Horses are commonly used to be sold, and not in a-
ny house, yard, backside, or other secret place, and vntlesse all the parties to the bar-
gain be present in the said Faire &c. shall come together, and bring the horse so
sold, to the open place appointed for the Toll-taker, or Booke-keeper, and there en-
ter their names and dwelling places, and the colour, and one speciall marke of the
Horse, and pay the Toll for the same, if any bee payable in that Faire, or else the
buyer shall give a penie for entring &c. for where Toll is not due by reason of the li-
bertie of any Faire or Market, the Keeper of the Booke shall not exact above a
penie

The using of
a stolen horse
to take away
the owners
propertie.

penie for a contract. And if any Horse, Mare, Gelding, or Colt, thenishly stolen or taken away, be sold, giuen, exchanged, or put away in any Faire or Market, and not bled in all points, as is aforesaid, then the owner thereof may take againe the same, or haue an Action of Detinue or Repleuin for the same Horse &c. 2. & 3. P. & M. 7.

6 The Toll gatherer or Keeper of the Booke, shall within one day next after euerie Faire or Market ended, bring and deliuer his Booke to the Owner, Steward, Baylife, or chiefe Gouvernour of the Faire &c. who shall cause a note to be made, of the number of all Horses &c. sold at the said Faire, and shall subscribe his name, or set his marke thereunto. And who so maketh default, shall forfeit for euerie offence xl. s. to the Queene and Inf. to be recovered before the Iustices of P. or by A. J. &c. wherein no W. &c. C. P. &c. and also shall answer the partie which is grieved by his negligence in euerie behalfe. 2. & 3. P. & M. 7. S. Iustices of peace s. 3.

A note of all Horses sold in a faire.

7 No person shall in any Faire or Market sell, giue, exchange, or put away any Horse, Mare, Gelding, Colt, or Fillie, vntlesse the Toll-taker there, (where no Toll is paid) the Booke-keeper, Ballife, or chiefe Officer of the same Faire or Market, shall & will take vpon him perfect knowledge of the person that so shall sell, offer to sell, giue, or exchange any Horse &c. and of his true Christian name, surname, and place of dwelling, or resiencie, and shall enter all the same his knowledge into a Booke there kept for sale of Horses: Or else that he so selling or offering to sell, giue, exchange, or put away any Horse &c. shall bring vnto the Toll-taker, or other Officer aforesaid of the same Faire or Market, one sufficient and credible person, that can, shall, or will testifie and declare vnto, and before such Toll-taker, Booke-keeper, or other Officer, that he knoweth the partie that so selleth, giueth, exchangeth, or putteth away such Horse &c. and his true name, surname, myserie, and dwelling place, and there enter, or cause to be entered in the Booke of the said Toll-taker, or Officer, as well the true Christian name, and surname, myserie, and place of dwelling, or resiencie, of him that so selleth, giueth, exchangeth, or putteth away such Horse &c. as of him that so shall testifie or auouch his knowledge of the same person, and shall also cause to be entered the verie true price or value that he shall haue for the same Horse &c. so sold. And no person shall take vpon him to auouch, testifie, or declare, that he knoweth the partie that so shall offer to sell, giue, exchange, or put away such horse &c. vntlesse he doe indeed truly know the same person, and shall truly declare to the Toll-taker, or other Officer aforesaid, as well the Christian name, surname, myserie, and place of dwelling and resiencie of himself, as of him, of, and for whom he maketh such testimonie and auouchment. And no Toll-taker, or other person keeping any Booke of entrie of sales of Horses in Faires or Markets, shall take or receiue any toll, or make entrie of any sale, gift, exchange, or putting away of any Horse &c. vntlesse he knoweth the party that so selleth, giueth, exchangeth, or putteth away any such horse &c. and his true Christian name, surname, myserie, and place of his dwelling, or resiencie, or the partie that shall and will testifie and auouch his knowledge of the same person so selling, giuing, exchanging, or putting away such horse &c. and his true Christian name, surname, myserie, and place of dwelling or resiencie, and shall make a perfect entrie into the said booke of such his knowledge of the person, and of the name, surname, myserie, and place of the dwelling or resiencie of the same person, and also the true price or value that shall bee bona fide, taken or had for any such horse, &c. so sold, giuen, exchanged, or put away, so farre as he can vnderstand the same, and then giue to the partie so buying, or taking by gift, exchange, or otherwise, such horse &c. requiring and paying two pence for the same, a true and perfect note in writing, of all the full contents of the same, subscribed with his hand, on paine

The seller of the horse must be knowne.

Auouching of a horsestaller

What shall be entered into the toll booke.

A note in writing deliuered to the buyer.

Faires and Markets.

that euerie person that so shall sell, giue, exchange, or put away any horse &c. without being knowne to the Toll-taker, or other Officer aforesaid, or without bringing such auoucher, or witnesse, causing the same to be entred, as aforesaid, and euerie person making any untrue testimonie or auouchment in the behalfe aforesaid, and euerie Toll-taker, Booke-keeper, or other Officer of Faire or Market aforesaid offending in the premises, contrarie to the true meaning aforesaid, shall forfe. for euerie such default v.l. but also that euerie sale, gift, exchange, or other putting away of any horse &c. in Faire or Market, not sold in all points, according to the true meaning aforesaid, shall be void. The halfe of which forfeiture shall be to the Du. &c. and the other to him that will sue for the same before the Iustices of peace, or in any of her Maiesties ordinarie Courts of Record, by A. of debt, B.P. or J. wherein no C.P. &c. 31.El.12.

The owner
may redeme
his stolen
horse within 6
moneths, pay-
ing the price.

8 If any Horse, Mare, Gelding, Colt, or Filly, shall be stolen, and after shall be sold in open Faire or Market, and the same sale shall be used in all points and circumstances, as aforesaid, yet neuertheless the sale of any such horse &c. within six moneths next after the felonie done, shall not take away the proprietie of the owner from whom the same was stolen, so as claime be made within six moneths by the partie from whom the same was stolen, or by his Executors or Administrators, or by any other by any of their appointment at or in the Towne or Parish where the same horse &c. shall be found before the Mayor, or other head Officer of the same Towne or Parish, if the same horse &c. shall happen to be found in any Towne or Parish, or Market Towne, or else before any Justice of P. of that Countie neere to the place where such horse &c. shall be found, if it be out of Towne or Parish, or Market Towne, and so as prooue be made within xl. daies then next ensuing, by two sufficient witnesses to be produced and deposed before such head Officer or Justice (who by vertue of this act shall haue authoritie to minister any oath in that behalf) that the proprietie of the same horse &c. so claimed, was in the partie, by, or for whom such claim is made, and was stolen from him within six moneths next before such claim of any such horse &c. But the partie from whom the said horse &c. was stolen, his Executors or Administrators shall and may at all times after, notwithstanding any such sale or sales in any Faire or open Market thereof made, haue proprietie and power to haue, take againe, and enioy the said horse &c. upon payment, or readines, or readie to pay to the partie that shall haue the possession & interest of the same horse &c. if he will receiue and accept it, so much money as the same partie shall depose and sweare before such head officer or Justice of P. (who by vertue of this act shall haue authoritie to minister and giue an oath in that behalf) that he paid for the same bona fide without fraud or collusion: any law, stat. &c. notwithstanding. Not onely all accessories before such Felonie done, but also all accessories after such Felonie, shall be deprived and put from all benefit of their Clergie as the principall by Statute heretofore made, is, or ought to be. 31.Elizabeth.12. S.Clergie 13. Iustices of peace 65.

Accessories to
Felonie.

A seale for
every Faire.

9 S. Statute de Mercatoribus 13. Ed. 1. The K. shall provide a seale for Fairs, and the same shall be sent vnto every Faire vnder the K. seale, by a Clerk swozne, or by the keeper of the faire.

Churchyards

10 S. Statute Winchester 13. Ed. 1.6. Fairs nor markets shall be kept in the church yards, for the honour of the Church.

Londoners
may carry their
wares to any
Faire or
Market.

11 Euerie Freeman and Citizen of the Citie of London, may lead, carrie, or goe with his biuall, ware, or merchandize whatsoeuer it be, to any Faire or Market within England: any Stat. or ordinance made or to be made within London, to the contrarie notwithstanding. And if any person do cause another to be prejudiced by any Stat. or ordinance made or to be made in London to the contrary, he shall forfe. to the K. and J.R. to be recovered by A. of debt, wherein no W. &c. 3.H.7.9.

1 Who

1 Who may buy cattell only in the Faire and Market, and who elsewhere. S. Cat-
tell 2.

2 Lords of Faires and Markets shall appoint Searchers and Sealers of Leather. S.
Leather 26.

3 The selling of stollen Cattell in a Faire or Market in Wales, shall not alter the
property. S. Wales 72.

False Iudgement.

NOne (but the king) shall hold plea in his Court, of false Iudgement given in
the Court of his tenants: for such pleas doe specially belong to the Kings
Crown and dignitie. Marle. 52. H. 3. 20.

2 If a Recoꝝd come into the Court by a writ of false Iudgement, if in case the
partie doe say, that the recoꝝd is otherwise than the Court doth recoꝝd, the auer-
ment shall be receiued of the Countrie, and of them that were present in the Court
when the recoꝝd was made, if they do come with others of the countrie by the Sher-
ifes returne, and if they come not, the Enquest shall be taken by the Countrie. 1.
Ed. 3. 4.

Farmes.

If any person do take any severall Farms, moze than one, of any Mannors, lands, *Farmes in*
tenements, parsonages, or tithes within the Isle of Wight, wherof the farme of *the Isle of*
them altogether shall exceed the sum of ten markes yerely, the lessee shall forfeit to *Wight.*
the King for every such taking 1. R. 4. H. 7. 16.

2 Whosoever doth receive or take in Farme for terme of life, yeares, or at will, *Whosoever*
by Indenture, copie of court roll, or otherwise, any more houses or tenements of hus- *shall take*
bandrie, whereunto any lands are belonging, in Towne, Village, Hamlet, or Vi- *above*
thing within this Realme, above the number of two such holds or tenements, or *two farmes.*
hath or occupieth any such holds so newly taken, to the number of two, except hee
be dwelling within the same parishes where such holds be, hee shall forfeit to the
King and Inf. for everie weeke that he shall have, occupie, or take any profits of
such holds contrarie to this At thre shillings foure pence, to be recovered within
one yeare next after such offence committed, by A. J. &c. wherein no W. &c. C. B. &c.
25. H. 8. 13.

1 When lands seised into the Kings hands vpon an Enquest taken before an Esche-
tor, may be let to farme, and to whom. S. Patents 17.

2 The sherife shall not let to farm his county, his bailiwicks, hundreds, nor wapen-
takes. S. Sherifs 5.

3 Ecclesiasticall persons may not take any farmes. S. Ecclesiasticall 14. 16.

Felonie.

All men generally shall be readie at the commaundement and summons of the
Sherifes, and at the crie of the countrie, to pursue and arrest Felons, when
need shall be, as well within Franchises as without, and they that will not, and
thereof be attainted, shall make a grienous fine to the King, and if default be found
in the Lord of the Franchise, the King shall seise the franchise into his hands. And
if default be in the bailife, he shall be one yeare imprisoned, and after make a grie-
vous fine, and if he have not whereof, he shall have two yeares imprisonment. And
if the Sherife, Cozoner, or any Bailife within such Franchise, or without, for re- *Concealment*
ward, or intreatie, or any affinitie, do concale, consent, or procure to concale the *or not attach-*
ment of felony
Felonies

At a

Felonies

Felonies

- Felonies done in their Liberties, or other wise will not attach or arrest such Felons** (whereas they may) or other wise will not doe their offices for the fauour that they beare to such offendors, and be therof attainted, they shall be one yere imprisoned, and make a grieuous fine. And if they haue not whereof to make fine, they shall be three yeres imprisoned. West. 1. Ed. 1. 9. Upon all Homicides, Burglaries, men slaine, or put in great danger, huy and crie shall be leuied, and euery man that follow the huy and crie, and offendors flees, if it may be, and whosoever doth not, and is thereupon convicted, shall be attached to appeare before the Ju. of gaole deliuerie. 3. Ed. 1. Officium Cor. S. Huy and Crie.
- Persons suspected of felonie.** 2 If any man suspect lewd persons (called Robertsmen, Whassers, or Whaolathes) or any Whanlaughters, Felonies, or Robberies, be it by day or night, they shall be incontinently arrested by the Constable of the Towne, and if it be within Franchise, deliuered to the bailiffs of the franchise, and if in Eldable, to the Sheriffs, and kept until the continuing doone of the Iustices of Gaole Deliuery, who shall proceed to the deliuerance of them. Ed. 3. 14.
- Felons refusing lawfull trial.** 3 If notorious Felons which be openly known of euill fame, will not put themselves vpon Enquests of felonies which any man doth prosecute before the Just. at the B. suit, they shall be put in strait and hard prison, as those which refuse the Law of the Realme. But this is not vnderstanded of prisoners, which be taken for a light suspicion. West. 1. 3. Ed. 1. 12.
- Daime for & dure.** 1 The keeper of a Forest, Parke, or Warren, may kil him which commeth within his charge to do hurt, and will not yeeld. S. Forests 4.
- 2 He which killeth a Felon, that attempteth to rob him, shall forfeit nothing. S. Forfeitures 1.
- 3 The Iustices may award a writ of institution of stoln goods vpon the attainer of a Felon. S. Restitution 1.
- 4 The King shall haue Felons goods, & *Annum, Diem, & Vastum*, in their lands. S. Prerogative 16.
- 5 The Iustices of the K. B. may remaund any Murtherer or Felon, and his Indictment to be tried in the country. S. Remouer 2.
- 6 The goods of him which is imprisoned for Felony, shall not be seised, before he be attainted thereof. S. Sherifes 24.
- 7 What means may be vsed for the apprehension of Felons in one county, that be indicted in another. S. Indictments 2. 3.
- 8 Felony in him which going ouer the sea to serue a foreine prince, doth not take the Oath, or enter into Obligation with sureties, according to the statute. S. Recusants 47.
- Sheepe.** 9 Felony in him who the second time doth send, or receiue sheepe being alieue into a ship, to be conueyed out of the K. dominions. S. Sheepe 2.
- Plague.** 10 Felony for any person hauing an infectious plague sore vpon him, to go abroad being commanded to the contrary. S. Plague 4.
- Marriage.** 11 Felony to marry a second husband, or wife, the first being alieue. S. Matrimonie 8.
- Recusants.** 12 Felonie in a Recusant who being commanded doth refuse to abiure the realme, doth not depart, or returneth without licence. S. Recusants 19, 33.
- Coniuration.** 13 Felony in practising of Coniuration, Witchcraft, Enchantment, Charm, or Sorcerie. S. Coniuration 1. 3.
- Seruants.** 14 Felonie in a seruant that doth imbecil his masters goods after his death, & doth not appeare to answer it when he shall be demanded. S. Executors 5.
- Egyptian.** 15 Felonie in one calling himselfe an Egyptian to continue in England or Wales a moneth. S. Egyptians 2.
- Conspiracie.** 16 Felonie in any of the Kings seruants sworne, to conspire to destroy the King, any

any Lord, or other sworne to the Kings Counsell. S. Conspiracie 4.

17 Felony to rauish any woman, and carnally to know any woman child vnder the age of ten yeres. S. Rape 1, 27.

18 Felonie for any person to breake prison, being therein for felonie. S. Prison 5.

19 Felonie to take any maide, widow, or wife, hauing lands, or grounds, and to receiue any so taken. S. Women 12.

20 Felonie for a Iailor to make a prisoner in his ward to become an approuer. S. Prisoners 21.

21 Felonie for a Clerke, or other person, to steale, or take away a Record &c. wherby iudgement shalbe reuerfed. S. Records 4.

22 Felonie to find a Hawke and not to bring it to the Sherife. S. Hawkes 2.

23 Felonie for him which is entred of Record a Souldier, not to come vnto, or to depart from his Captaine. S. Captaines 3.

24 Felonie to hunt in a forest, parke, or warren, or with painted faces, and being examined to conceale the offence, or offenders. S. Hunting 4.

25 Felonie for a Purueyor to make purueyance for the Kings house without warrant: Or to take any carriage in other manner then is comprised in his Commission: Or not to make his prouision by the appraisemen of the Constables, and foure honest men of the Towne where &c. Or to take more then he doth deliuer to the Kings house: Or to take more sheepe before sheare time, then be sufficient &c. S. Purueyors 4, 9, 17, 18, 19.

26 Felonie in Masons to make congregations and assemblies. S. Masons.

27 Felonie in cutting out the tongues, or putting out the eyes of any of the Kings subiects maliciously. S. Tongues &c.

28 Felonie to practise multiplying of gold or siluer. S. Multiplying.

29 Felonie in forging of Euidences, being once conuicted thereof before. S. Forging 4.

30 Felonie in receiuing, releeuing, or comforting any Iesuite, Priest, &c. being borne within this Realm. S. Iesuits 2.

31 Felonie to take any person out of Cumberland, Northumberland, Westmerland, or the Bishopricke of Durham to iurpison him, or carrie him elsewhere. S. Robberie 1.

32 Felonie by imbecilling the Ordnance, armour, or victuall, to the value of xx. shillings. S. Armour 3.

33 Felonie in a rogue being banished by the Iustices of Peace to returne againe without licence. S. Vagabonds 4.

34 Felonie in a wandring souldier, or mariner, who doth not settle himselfe to some lawfull course of life: Or shall haue a testimoniall vnder the hand of a Iustice of peace: Or hauing such a Testimoniall will exceed his time limited: Or which doth forge a Testimoniall: Or which being retained into seruice doth depart within his time. S. Marriners 4, 5, 6.

35 Felony by poysoning of any person. S. Murder 5.

36 Felony in committing Buggerie with mankind or beast.

37 Felonie of a seruant (other then an apprentice) to goe away with money, goods, &c. of his masters, or mistresses of the value of xl.s. to the intent to steale it, or to defraud his master &c. of it, or to conuert it to his owne vse. S. Stealing 21. H. 8. 7. 5. El. 10.

38 Felony for any person maliciously to breake vp or cut downe any part of newe Powddike in Marshland in the County of Norfolke, otherwise called Olde field dike in the Isle of Ely in the County of Cambridge, or any other banke, being parcel of the rinde, and vtermost border of the same country of Marshland, made for the defence of the same county of Marshland, otherwise then in working vpon the same bankes

Breaking of prison.

Taking a woman.

A Iailor.

Imbecilling of a Record.

Hawkes.

A souldier.

Hunting.

Purueyors.

Masons.

Cutting of tongues and eyes.

Multiplying.

Forgerie.

Iesuits.

Robberie.

Armour.

Rogue banished.

Wandering souldier or mariner.

Poysoning.

Buggerie.

An imbecilling seruant.

Breaking of Powddike.

Felants, Partridges, Hares, &c.

bankes and dikes for the reparaire thereof. 22. H.8.11. 2.& 3. Ph. & M. 19. S. Iustices of Peace 17.

Tame beasts: 40 Felonie by taking of tame beasts in a Parke. S. Tame beasts 2.

Felants, Partridges, Hares, &c.

Taking Felants, &c. with snares.

If any person do take, or cause to be taken any Felants or Partridges, by Nets, Snares, or other Engins, out of his owne warren, upon the freehold of another person, without the assent & speciall licence of the owner, or possessor of the same, he shall forfeit. x. s. to the owner of the ground and the Informer, to be recovered by A. B. &c. 11. H.7.17.

Killing of Felants or Partridges in the night.

2 No person shall take, kill, or destroy any Felants or Partridges with any manner of Nets, Snares, Ginnes, Engines, Rotwisting, & Lotwisting, or other deuises whatsoeuer in the night time, upon paine of forfeit. for euery Felant so taken, killed, or destroyed, contrarie to the true meaning of this act xx. s. and for euery Partridge x. s. The which said penalties, if euery person so offending, do not pay within tenne daies next after his or their conuiction, then to haue one moneths imprisonment, without baile or maineprie. And further, ouer & aboue such forfeit. or imprisonment, to put in bond with good sureties for the space of y. yeres, that he shall not take, kill, or destroy any Partridges or Felants, contrary to the true meaning of this act: The same bond to be taken by some J. of the peace of the countie where the said offence shall be committed. The one halfe of all which said seuerall forfeit. to be to the chiefe Lord or Lords of the Liberties, Lordships, or Manors, upon and in which the same shall be so taken, killed, or destroyed, and the other moitie to such person or persons, as will sue for the same in any her Maiesties Courts of Record, by W. B. or J. wher in no W. C. B. &c. 23. El. 10.

A remedie where the J. doth dispenle with the forfeiture, or giue licence to offend.

3 Provided alwaies, that if any person, to whom the one halfe of the said forfeit. is appointed for the taking, killing, or destroying of Partridges & Felants, contrary to the tenor of this act, shall dispenle with licence, or procure any taking, killing, or destroying of any Partridges or Felants, contrarie to the forme of this act: then all such forfeitures and penalties as such person or persons should haue by vertue of this act, shall be to the poore of the parish, where such taking, killing, or destroying shall be committed: and that to be leuied or recovered in manner and forme aforesaid, by any one of the Churchwardens of the parish where the offence shall be committed. 23. El. 10.

Hawking in eared or coddred cozne.

4 No person or persons shall hawke, or with his Spaniels hunt in any ground where Cozne or other graine shall then grow (except it be in his owne ground) at such time as any eared or coddred cozne or grain shall be standing and growing upon the same, nor before such time as such cozne or grain shall be shocked, cocked, hilled, or copped, upon paine of forfeiture for euery time that he shall so hawke, or hunt as aforesaid (without the consent of the owner of the cozne or graine) to such person or persons as shall be owner of the said eared or coddred cozne or graine for tie shillings, and the same to be leuied and recovered in manner and forme aforesaid. 23. El. 10.

Taking Partridges & Felants, and letting them goe againe.

5 Provided alwaies, that this act shall not in any wise extend to Lowbellers, Trammelers, or others, which shall vntwillingly happen to take any Partridges or Felants by night vnder any Trammel, Lowbell, Roadnet, or other Engin: So as they and euery of them do presently loose and let goe euery Felant and Partridge so taken, and suffer them presently to flie and goe at large at the place where they shall happen so to be taken, without willingly killing, or wilfully hurting any such Felant or Partridge so taken in any manner of sort: any thing in this act &c. notwithstanding. 23. El. 10. S. Leets 17. Iust. of Peace 38.

6 All and every person and persons, which shall shoot at, kill, or destroy, with any Gunne, Crossebowe, Stonebowe, or Longbowe, any Fesant, Partridge, House dove, or Pigeon, Hearne, Mallard, Ducke, Teale, Widgeon, Grouse, Heathcocke, Poozegame, or any such Foule, or any Hare: Or shall take, kill, or destroy, any Fesant, Partridge, House dove, or Pigeon, with setting dogges and nettes, or with any manner of nettes, snares, engines, or instruments whatsoever, Or shall take the egges, of any Fesant, Partridge, or Swannes, out of the nestes, or willingly breake, spoile, or destroy the same in the nest, Or shall trace, or course any Hares in the Snowe, or at any time take, or destroy any Hares, with Harepipes, Codes, or any such Instruments, or other engines, And the same offence or offences being proved by the confession of the partie, or the testimonie of two sufficient witnesses, upon oath before two or more Justices of Peace of the same Countie, Citie, or Towne corporat, wherein the offence shalbe committed, or the partie offending apprehended, shall be by the said Justices of Peace for every such offence committed to the common Gaole of the said Countie, Citie, or Towne corporat, where the offence shall be committed, or the partie apprehended, there to remaine for thre moneths, without baile or mainprise, unlessse that the offendor do, or shall forthwith upon the said condution pay, or cause to be paid to the Churchwardens of the said parish where the said offence shall be committed, or the partie apprehended, to the use of the poore of the said parish, xx. s. for every Fesant, Partridge, House dove, Pigeon, Hearne, Mallard, Ducke, Teale, Widgeon, Grouse, Heathcocke, Poozegame, or for any such Foule, And for everie egge of Fesant, Partridge, or Swannes, and for every Hare, which any, and everie such person and persons so offending and convicted as aforesaid, shall take, kill, or willingly destroy, contrarie to the true meaning of this Statute, Or after one moneth after his commitment, together with two sufficient sureties, become bound by Recognizance in twentie pounds a peere to the Kings use, his heires and successors, with condition that he the said party so offending, shall not at any time hereafter shoot at, kill, take, or destroy, any of the said games before mentioned, by any of the meanes aforesaid: Which said Recognizances shall be taken by any two or more Justices of Peace of the said Countie, Citie, or Towne corporat, where the offendor shall be imprisoned, as aforesaid, and shall be returned to the then next Quarter Sessions, and there to remaine of Record, as other Recognizances taken for the peace. 1. Jac. 27.

Destroying
certain games
or their eggs.

7 All and every person and persons, which shall have, or keepe any Gehound, for coursing of Deere, or Hare, or setting dog or dogs, or net or nets, to take fesants, or Partridges, (except such person or persons which shall be seised in their owne right, or in the right of their wives, of lands, tenements, or hereditaments, of the cleare yearely value of x. l. by the yere or more, over and above all charges and reprises, of some estate of inheritance, Or of lands, tenements, or hereditaments, in his owne right, or in the right of his wife, for terme of life or lives, of the yearely value of xxx. l. over and above all charges and reprises, Or bee possessed of goods and chattels, to the full value of 200. l. to his owne use, Or be the sonne or sonnes of any Knight, or of any Baron of Parliament, or of some person of higher degree, or the sonne and heire apparent of any Esquire) and being thereof convicted as aforesaid, shall by the said Justices of the peace be committed and imprisoned in manner and forme, as in and by this act is before expressed: except such person or persons so offending, and thereof convicted as aforesaid, doe forthwith pay, or cause to be paid, to the Churchwardens of the said Parish, where the said offence shal be committed, or the partie apprehended, to the use of the poore of the said parish xl. s. of lawfull money of England. 1. Jac. 27.

Keeping of
Gehounds,
setting dogges,
or nettes.

8 Every person and persons, which shall sell, or buy to sell againe, any Deere, Hare,

Fesants, Partridges, Hares, &c.

Selling of
Deere, Hare,
Partridge, &c.

The forfei-
tures.

Punishment
by former
lawes.

Licence to
shoot in a gun
for Hawkes
meat.

The penalty
for killing of
any fasant or
partridge by
hawking be-
twene the
first day of
July and the
last of August

He that is pu-
nished by this
law shall be ex-
cused for any
other.

Within what
time any of-
fendor shall
be accused.

Hare, Partridge, or Fesant, (except Partridges and Fesants reared and brought up in house or houses, or brought from beyond the Seas) shall forfeit for everie Deere so bought and sold xl. s. for everie Hare x. s. for everie Partridge x. s. and for everie Fesant xx. s. Of all which forfeitures the one moitie shall be to him that will sue for the same, by Bill of Indictment, or Information, And the other moitie to the poore of the parish, where the said offence or offences shall be committed, And no person or persons shall or may be punished by force of any former Statute or Law, for any of the said offences, for which by force of this Law any punishment shall be inflicted. 1. Jac. 27.

9 It shall and may be lawfull to and for every person and persons keeping any Hawke or Hawkes, which at the generall quarter Sessions of the Countie (where he and they shall dwell) shall be licenced to shoot haile shot in handguns, or birding peece, at Crow, Chough, Pie, Kooke, Ringdove, Jay, or small birds, for hawkes meat onely, to shoot and kill hawkes meat, according to said licence onely, so that such partie so to be licenced, doe at the same quarter Sessions become bound to the King by Recognizance in xx. l. not to shoot at the foule or game, at which shooting is prohibited by this law, And so that he or they shall not shoote in any handgun, or other gun, within six hundred paces of any Hearnerie, nor within one hundred paces of any pigeon house, nor any park, forest, or chase, whereof the party so licenced, or his master is or shall not be the owner, keeper, or gouvernour: for the which licence or Recognizance the Clerke of the Peace is to take onely vi. s. and no more 1. Jac. 27. To continue to the end of the first Session of the next Parliament S. Just. of peace 38.

10 All and every person and persons whatsoever, which at any time after the end of this present Session of Parliament doth or shall hawke at, destroy or kill any Fesant or Fesants, Partridge or Partridges, with any kinde of Hawke or Hawkes, Dogge or Dogges, by colour of hawking betweene the first day of July and the last day of August, and the same offence or offences being proved by the confession of the partie, or by the testimonie of two sufficient witnesses upon oath, before two or more Justices of peace of the said Countie, Citie, or Towne Corporate wherein the offence shall be committed, or the partie offending apprehended, shall be by the said Just. of peace, for every such offence committed to the common Gaole of the said Countie, Citie, or Towne Corporate, where the offence shall be committed, or the parties apprehended, there to remaine for one whole moneth without baile or mainprie, unless that the said offendor do, or shall forthwith upon the said commition pay, or cause to be paid to the Churchwardens of the said Parish, or unto the Overseers of the poore, or some of them, where the said offence shall be committed, or the partie apprehended, to the use of the poore of the same parish, the summe of fortie shillings for every such hawking at any Fesant or Partridge, and twentie shillings for everie Fesant or Partridge which any and every such person and persons so offending and convicted (as aforesaid) by himselfe his, Hawke, or Hawkes, Dog or Dogs, shall take, kill, or destroy contrarie to the true purport, intent and meaning of this present Statute. Provided alwaies that if any person or persons shall be at any time hereafter convicted and punished by vertue of this law: That then the partie so punished shall not for the same offence bee afterwards called in question, and punished by vertue of any other law touching or concerning the like offences. Provided also that no offendors shall be impeached or punished by vertue of this Act unless hee or they be accused as delinquent before the said Justices of peace within six moneths next after the said offence or offences committed and done. 7. Jac. 11.

11 It shall and may be lawfull for every person or persons, which have or shall have free warren, and to and for every Lord of a Manor, and to and for every Freeholder

holder which is, or shalbe seised in his owne right, or in the right of his wife of lands, who may take
tenements, and hereditaments, to the cleare yearely value of xl. l. or more by the
yeare, ouer and aboue all charges and reppises, of some estate of Inheritance, or of
Lands, Tenements, and Hereditaments in his owne right, or in the right of his
wife, for terme of life or lines of the yearely value of fourescore pounds, ouer and
aboue all charges and reppises, or which shall be worth in goods or chattels foure
hundred pounds, by him or themselves, or by his or their meniall and household ser-
uants (sufficiently authozised from his or their master for that purpose) to take Fe-
sants and Partridges (in the day time onely) in and vpon his and their owne, or his
and their Pastors free warren, manor and freehold, as aforesaid, or on any part of
them, betwixt the Feast of Saint Michael the Archangel, and the birth of our Lord
God yerely, any thing in the said Law befoze mentioned to the contrarie notwithstanding.
7. Jac. 11.

12 All and every person and persons which from and after the first day of Sep-
tember next shall take, kill, or destroy any Fesant or Partridge with setting Dogs
and Nets, or otherwise with any manner of Nets, Snares or Engines, and the
same offence or offences, being proved by the confession of the partie, or by the te-
stimonie of one sufficient witnesse vpon othe, befoze two or more Justices of the
Peace of the same County, Citie or Towne Corporate, wherein the offence shall be
committed, or the partie offending apprehended, shall be by the said Justices of the
Peace, for every such offence committed to the Common Gaole of the same Coun-
tie, Citie, or Towne Corporate, where the offence shall be committed, or the par-
tie apprehended, there to remaine for thye moneths without Baile or Paineprise,
vnlesse that the said Offender shall forthwith pay, or cause to be paid to the Church-
wardens, or Over-seers of the poore of the said Parish, where the said Offence shall
be committed, the summe of xx. s. for every Fesant or Partridge, which any and
every such person or persons so offending shall take, kill, or destroy as aforesaid,
contrarie to the purport and true meaning of this Statute, and further to become
bound by recognizance, in the summe of xx. l. to his Maiestie his heires and suc-
cessors, with condition, that he the said partie so offending shall not at any time
thereafter take, kill, or destroy any Fesant, or Partridge: which said Recogni-
zance shall bee taken, by any one, or more Justices of Peace of the said Countie,
Citie, or Towne Corporate where the said offence shall be committed, as aforesaid,
and shall be returned to the then next quarter Sessions, and there to remaine of
Record as other Recognizances taken for the Peace. And every Constable and
Headborough, in every County, Citie, Towne Corporate, and other place where
they shall be two or more Officers, shall and may by vertue of this present Act (bying
with them to that purpose a lawfull warrant vnder the hands of two Justices of
Peace of the County, Citie, Liberties or Towne Corporate) haue full power and
authozity to enter into and search the house or houses of any person or persons (o-
ther then such as by this present Act are allowed to take Fesants and Partridges,
with nets as aforesaid) being suspected to haue any setting Dogges, or Nets for
the taking of Fesants, and Partridges, and wheresoeuer they shall finde any such
setting Dogge or Nets, the same to take, carry away, and detaine, kill, destroy,
and cut in peeces, as things prohibited by this Act, and forfeited to such of the said
Officers, as shall finde out, and take the same, as aforesaid. 7. Iacobi 11. This
Law to continue vnto the end of the first Session of the next Parliament, and no
longer.

who may take
Fesants and
Partridges
where and
when

The penalty
for taking any
Fesants or
Partridges
with setting
dogges, nets,
or &c.

Officers may
search the hou-
ses of persons
suspected to
offend.

Fifteenes, and Taxes. Fighting, Quarrelling.

Fifteenes, and Taxes.

Cattel charge
able to the xv.
where they be
the time of the
same granted.

All Fozeines, having lands or tenements, goods or chattels, within any towne, at the day of the grant of any Disme, Fifteene, or other Tare, although they lead away their beasts, or carrie away their goods and cattels out of the same towne after the day of the said grant, yet every of them shall be contributorie with the inhabitants of such towne, to such Disme, Fifteene, or Tare. And the Collectors of the same Disme, Fifteene, or Tare, for the time being within such towne, have power by authoritie of their office, to take and asseſſe such Fozeines according to the quantitie of their goods, chattels and possessions being in the said towne at the day of the grant, of the said Dismes, Fifteene, or Tare, and for the same summes whereto they be asseſſed or tared, to distraine in every place within the said Countie, as well befoze the King be answered the whole summes that at taine to the said towne, as after. But no man or woman shall be twice charged for any such beasts, goods, or chattels, in any wise by occasion thereof. 9.H.4.7. S.1. Ed.2.6.

Fighting, Quarrelling.

Drawing of
blood within
the K. palace.

If any person shall maliciously strike any other person, whereby blood shall be shed in any of the K. houses or palaces, or in any other house, where the K. dwelleth, his heires, &c. shall be at any time abiding in his royall person, viz within any edifices, courts, places gardens, orchards, or houses, within the Porters ward of any of the houses above rehearsed, or within any gardens, private walkes, orchards, tiltyards, woodyards, tennis play, cocke fights, bowling allies, neere adjoining to any of the said houses, & being part of the same, or within 200. foot of the standard of any outward gate or gates of any of the said houses, commonly used for passage from any of the houses &c. and shall be thereof indicted, arraigned, & attainted, according to the statute in that case provided, he shall have his right hand stricken off, be imprisoned during his life, and make fine to the King at his pleasure. But this act, nor the paines and forfeitures befoze rehearsed, shall not extend to any Noble man, or other person that shall strike his servant within the said palaces, or houses, or the limits of the same, with his hand or fist, or any small staffe or stick, for correction for any offence committed: For to any of the K. Officers, that in executing his office, shall strike any person with his hand, fist, or small staffe, stick, or tipstaffe: For to any other person, that in doing service at any triumph, or any other time of service, by the K. or any of his Councell, or other his head officers commandement, shall for the executing of his said service, strike any person with his hand, fist, small staffe or stick, or any tipstaffe, within the same palace, house, &c. although by reason of the same stroke or strokes, there happen to be any bloodshed of such person as shall be so stricken, except the person so stricken die of the same stroke within one yeare next after. 3.H.8. 12. How the offender in this case shall be indicted and tried. S.T. 11.4.5.6.

Chiding in
the Church or
Churchyard.

2 If any person whatsoever, do by words only quarrell, chide, or bzaile, in any Church or Churchyard, then it shall be lawfull to the Ordinarie of the place where the offence is done & proved by two lawfull witnesses, to suspend him (being a lay man) ab ingressu Ecclesie, and being a Clerke, from the ministration of his office, so long as he thinketh meet, according to the fault. 5.E.6.4.

Smiting in
the Church or
Churchyard.

3 Whosoever shall smite, or lay violent hands upon another, in any Church or Churchyard, shall be deemed ipso facto excommunicat, and excluded from the fellowship, and companie of Christs congregation. 5.Ed.6.4.

4 If any person shall maliciously strike any person with any weapon in any church

o2 churchyard, o2 shal draw any weapon in any church o2 churchyard, to the intent to strike another with the same, then every person so offending, & thereof being convicted by verdict of ry. men, o2 by his own confession, o2 by y. lawfull witnesses, befoze the J. of Assise, J. of Oier & determiner, o2 J. of P. in their Sessions, shal be adjudged by the same J. befoze whom such person shal be convicted, to have one of his eares cut off, And if the person o2 persons so offending, haue none eares, whereb they should receive such punishment as is befoze declared, then he o2 they to be marked & burned in the cheeke with an hot iron, hauing the letter (F) whereb he o2 they may be knotone & take for fray makers & fighters, and besides, that every such person to be and stand ipso facto excommunicated as is aforesaid. 5. & 6. Ed. 6. 4.

Drawing o2
limiting with a
weapon in a
Church o2
Churchyard:

5 If any assault o2 fray be made vpon any Lord Spiritual, o2 Temporal, Bn. of the Shire, Citizen, o2 Burgesse, which comes to the parliament, o2 to the Kings Councell by his commaundement, and there being & attending, then proclamation shalbe made in the most open place of the towne where the affray was made, by i. feveral daies, that the party that made such affray o2 assault, shal yeeld himselfe in the Kings Bench, within a quarter of a yeare next after the proclamation made, if it be in the Terme time, o2 otherwise at the first day of the Terme following the said quarter. And if he doe not, he shalbe attainted of the deed, and pay to the party griued his double damages, to be tared by the discretion of the Justices of y. same Bench, o2 by enquest, if it be needfull, and shall make fine & ransome at the Kings pleasure. And if he come and be found guiltie by enquest, by examination, o2 otherwise of such affray o2 assault, then he shal pay to the party griued his double damages found by the enquest, o2 to be tared by the discretion of the said Justices, and make fine & ransome at the kings pleasure. 11. H. 6. 11. The like punishment shall he haue, which maketh assault o2 fray in parliament time vpon any meniall servant of any Knight of the Parliament, o2 ec. which doth come to the Parliament with his Passer. 5. H. 4. 6.

Assaults vpon
them which
come to the
Parliament

Assaulting the
servant of him
which cometh
to the parliament.

Fines.

As well the parties Plaintifes o2 Demaundants, as the Tenants and defendants, which will knowledg o2 yeeld their right o2 Tenements to others in pleas of Warracia chartre, Couenant, and other like, whereupon fines are to be leuied, shall come personally befoze the Justices of the Common place, befoze the same fines be leuied, that their age, Adecie, o2 other defect (if there be any) may be discerned and indged by them: But if any man which is old, decrepit, o2 impotent, by any casualtie, be so oppressed o2 detained, that he is not by any meanes able to come befoze the said Justices, Then two o2 one of the said Justices, by the assent of the whole Bench, shall goe vnto him which is so diseased, and shall receive his cognisance vpon the plea, o2 forme of plea, which he hath in the Kings court, whereupon the said fine ought to be leuied, and if there goe but one, he shall take with him an Abbot, a Prior, o2 a Knight, being a man of credit and good name, and shall certifie the J. of the common place thereof by their record, So that all things incident to the fine being by him o2 them well examined, the same fines may be duly leuied. Carliel. 15. E. 2.

The connor
in the fine shal
come personall
ly befoze the
Justices.

A fine taken
by Dedimus
potestatem.

2 The order of the law will not permit a finall accord to be leuied in the Kings Court, without an originall writ, & that must be at the least befoze iij. Justices of the Bench, o2 in Cire, & not otherwise, and in ppresence of the parties named in the writ, which be of full age, good memoie, and out of prison. And if a woman which is couert baron, be one of the parties, then it behoueth that she be first examined befoze the said foure J. and if she do not assent to the fine, it shall not be leuied. Stat. de finibus 18. Ed. 1.

A fine cannot
be leuied with
out an origi-
nall writ.

A fine leuied
by a woman
couert.

Fines.

A fine pro-
claimed.

3 After the ingrossing of euery fine to be leuied in the Kings Court, before his Iustices of the Common pleas, of any lands, tenements, or other hereditaments, the same fine shall be openly and solemnly read & proclaimed in the same Court the same Terme, and in three Termes then next following the same ingrossing in the same Court, at foure seuerall daies in euery Terme, and in the same time that it is so read and proclaimed, all pleas shall cease. 1. R. 3. 7. 4. H. 7. 24. All fines with proclamations, from & after the Feast of Easter next ensuing, to be leuied in the said Court (viz. of the Common pleas) shall be proclaimed onely 4 times, that is to say, once in the Terme wherein it is ingrossed, and once in euery of the three Termes holden next after the same ingrossing. And euery fine proclaimed as aforesaid, shall be of as great force & effect in Law to all intents and purposes, as if y^e same had bin 16 times proclaimed, according to the statutes heretofore made. 3. 1. Eliz. 2.

Who shall be
concluded by a
fine, and who
not.

4 And the said proclamations so had & made, the said fine shall be a finall end, & conclude as well priues as Strangers to the same, except women covert (other then be parties to the said Fine) & euery person then being within age of twentie one yeares, in prison, or out of this Realme, or not of whole mind at the time of the said Fine leuied, nor party to such Fines. 1. R. 3. 7. 4. H. 7. 24.

Euery stran-
gers right sa-
ued which he
presently hath

5 Saving to euery person or persons, & to their heires (other then the parties in the said fine) such right, claime, & interest, as they haue to, or in the said lands, tenements, or other hereditaments, time of such fine ingrossed, so that they pursue their title, claime, or interest, by way of Action or lawfull entrie, within five yeares next after the said proclamations had and made. 1. R. 3. 7. 4. H. 7. 24.

The right of
strangers sa-
ued, which shall
come to them.

6 And saving to all other persons, such action, right, title, claime, & interest, in or to the said lands, tenements, or other hereditaments, as first shall grow, remain, or descend, or come to them after the said fine ingrossed, & Proclamation made by force of any gift in the taile, or by any other cause or matter had & made, before the said Fine leuied, so that they take their Action, or pursue their said right & title, according to the law within five yeares next after such Action, right, title, claime, or interest to them accrued, descended, remained, fallen or come: And the said persons & their heires may haue their said Action against the p^{er}son or the profits of the said lands and tenements, and other hereditaments, time of the said action to be taken. 1. R. 3. 7. 4. H. 7. 24.

Action mainte-
nable against
p^{er}son or the
profits.

The right of
infants, womē
covert, persons
imprisoned,
out of this lād
or not of whole
mind, saued.

7 And if the same persons, at the time of such Action, right, and title, accrued, descended, remained, or come vnto them, be covert baron, or within age, in prison, or out of this Land, or not of whole mind, then their action, right, and title, shall be reserved, and saued to them, and to their heires, vnto the time they come and be at their full age of xxi. yerres, out of prison, with this lād, vncovert, & of whole mind, so that they or their heires take their said actions, or other lawfull entrie, according to their right & title, within five yeares next after that they come, & be at their full age, out of prison, within this land, vncovert, and of whole mind, & the same actions pursue, or other lawfull entrie take, according to the law. But all such persons as be covert baron, not partie to the fine, & euery person being within age, in prison, or out of this land, or not of whole mind, at the time of the said fines leuied and ingrossed, hauing any right or title, or cause of action, to any of the said lands & other hereditaments, they or their heires inheritable to the same, shall take their said Actions or lawfull entrie according to their right & title, within 5 yeares next after they come and be of full age of xxi. yeares, out of prison, vncovert, within this land, & of whole mind, and the same actions sue, or their lawfull entrie take and pursue, according to the law. And if they do not take their actions & entrie, as is aforesaid, they & euery of them, & the heires, & their heires of euery of them, shall be concluded by the said fines for ever in like forme as they be that be parties or priues to the said fines. 1. R. 3. 7. 4. H. 7. 24.

8 Saving to every person & persons not partie nor priue to the said fine, their Exception
exceptiō, to auoid the said fine, by that, that those that were parties to the fine, nor that the parties to the fine
any of them, nor no person or persons to their vse, ne to the vse of any of them, had had nothing
nothing in the lands and tenements comprised in the said fine, at the time of the in the land.

9 Anno 1. R. 3. 7. it is enacted, that a transcript of the same fine shalbe sent by the A fine proclai-
said Just. of the Common pleas, to the Just. of Assise of the County where the sayd med at the ge-
lands and tenements be, they to cause the said fine to be read & proclaimed openly, neral assises
and solemnly in euerie their Sessions of Assise to be holden the same yeare, if Assi- and quarter
ses do then hold, and all the pleas in the meane time to cease: also a like transcript Sessions.
of the same fine shalbe sent to the J. of peace of the County where the said Lands & Tenements be, they to cause open and solempne Proclamation of the said fine to be made at foure seuerall Sessions of the peace to be holden the same yeare. The said J. of assises, & also J. of peace to certifie the same proclamation to the J. of the com-
mon pleas, at the second day of returne of the terme then next following.

10 Euerie fine that shal be leuied in any of the Kings Courts of any Manors, lands, tenements, or other possessions, after the maner, vse, and formes that fines Fines at the
haue bin leuied befoze the making of these acts, be of like force, effect, & authority, as common law be
fines so leuied be, or were befoze the making of these acts, and euery person shal be of the same
at his libertie to leuie a fine at his pleasure, whether he will after the forme contay- force they
ned & ordained, in, & by these acts or any of them, or after the manner and forme were.
befoze time vsed. 4. H. 7. 24. 1. R. 3. 7.

11 All Fines as well heretofore leuied, as hereafter to be leuied befoze the J. of Proclamati-
the Common pleas, of any Manors, Lands, tenements, or other Hereditaments, ons not made
whereupon the proclamations haue not, or shal not by reason of adiournment of by the ad-
any terme by writ be duly made, shal be of as good force, effect, and strength, to all iournment of
intents, constructions, & purposes, as if any terme heretofore adiourned, or that at any terme.
any time hereafter shalbe so adiourned, had bin holden & kept, from the beginning to the end thereof not adiourned, & proclamation therein made, according to the form
and effect of the said Statute of 4. H. 7. 1. M. 1. Parl. 7.

12 All Fines which shal be leuied befoze the Justices of Assises at Lancaster, or Fines leuied
befoze one of them, of any Lands, tenements, or other hereditaments lying within befoze the Ju-
the Countie Palantine of Lancaster, which shal be openly read, and proclaymed stices of assise
thre seuerall daies in the open Sessions in the pzeence of the Justices of Assise at at Lancaster:
Lancaster, or one of them, at the same Sessions, that the same fine shalbe ingrossed, and also at the two next generall Sessions, that shal be holden in the said Countie, befoze the J. of Assise of the same Countie, or befoze one of them, next after the le-
uying or ingrossing of such said fine, at three seuerall daies in either of the said two Sessions, after such manner and forme, as is commonly vsed in the common place
at Westminster, shal be of like force to al intents, as Fines being duly leuied with Proclamations befoze the Kings Justices of his Common pleas be or ought to be
of 37. H. 8. 19. And all & singuler fines which at any time hereafter shal be leuied or Fines leuied
knowledged befoze the Justice or Justices of the Countie Palantine of Durham befoze the J.
for the time being, authorized for that purpose and cause, of any lands, tenements, of Assise at
or other Hereditaments, lying or being within the said Countie Palantine of Durham.
Durham, which shal be openly read and proclaimed two seuerall daies in the open Sessions, in the pzeence of the Justices of Assises at Durham, or one of the for the
time being at the same Sessions, that the same shal soztane to be ingrossed, and also that shal be openly read & proclaimed in the pzeence of the J. of Assise at Durham,
or one of them for the time being, at the two general Sessions that shalbe holden in the county Palantine of Durham, befoze the J. of the same county, comonly called
J. of assises at Durham, or one of the, next after the leuying or ingrossing of such said fine,
R r y

Fines.

fine, that be of like, and of the same force, strength, and effect in the law, to all intents, constructions, and purposes, as fines being duly leuied with proclamations befoze the Qu. Just. of the Common pleas at West. be oꝛ ought to be. 5. Eliz. 27. A Stat. not printed.

*Fines leuied
befoze the high
Just. at Che-
ster, of lands
in Cheshire.*

13 Fines which shall be leuied befoze the high Justice of the county Palantine of Chester, oꝛ befoze the deputie oꝛ lieutenant Justice there foꝛ the time being, of any lands, tenements, oꝛ other hereditaments, lying within the said county Palantine of Chester, which shall be openly read & proclaimed in several daies in the open Session, in the presence of the J. of the said county Palantine, oꝛ befoze the deputie oꝛ Lieutenant Justice there, at the same Sessions that the same fine shall be ingrossed, and also at the two next generall Sessions that shall be holden in the said Countie, next after the leuying and ingrossing of such fine at thꝛe several daies, in either of the said two Sessions, after such manner and forme, as in commonly used in the Common place at West. shall be of like force to all intents, as fines being duly leuied with proclamations befoze the kings Justices of his common pleas be oꝛ ought to be of. 2. Ed. 6. 28.

*Fines leuied
of lands with-
in the County
of the citie of
Chester.*

14 It shall and may be lawfull to and foꝛ all and every person oꝛ persons whatsoever, upon any originall writ oꝛ writs of Covenant, oꝛ any other originall writ oꝛ writs whereupon fines are oꝛ have been usually leuied, to be purchased out of her Highnesse Court of Erchequer, within the Countie Palantine of Chester, returnable befoze the Shaoꝛ of the said citie foꝛ the time being, in the Portmoot court, to be holden within the said citie, to leuie any fine oꝛ fines of any lands, tenements, oꝛ hereditaments, lying oꝛ being within the said Countie of the citie of Chester, befoze the Shaoꝛ of the said city foꝛ the time being, in the said Portmoot court, in such manner and forme as fines may be leuied by any lawes oꝛ statutes of this realm, befoze the Qu. high Justice of her County Palantine of Chester, of lands within the same Countie Palantine: And the Shaoꝛ of the said citie foꝛ the time being, shall from hencefoꝛth haue full power & authority, to receiue & recoꝛd all & every such fine and fines. And all & every fine and fines, which shall be so leuied, and which shall be openly read & proclaimed befoze the Shaoꝛ of the said citie foꝛ the time being, in the said Portmoot court, once at the said court day that the said fine oꝛ fines shall be ingrosse, & once at every of the nine next court daies of Portmoot to be holden within the said city, befoze the Shaoꝛ thereof foꝛ the time being, next after the leuying & ingrossing of such fine oꝛ fines, shall be of like force, strength, & effect in the law, to all intents & purposes, as fines duly leuied with proclamations, befoze her Ma. high Justice of her countie Palantine of Chester, of lands within the same county Palantine, are oꝛ ought to be of. 43. Eliz. 15.

*A Dedimus
potestatem to
receiue a War-
rant of Attor-
ney in Chester*

15 And whereas the Shaoꝛ of the said citie foꝛ the time being, hath ben ever heretofore (foꝛ and during all the time whereof the memorie of man is not to the contrarie) accustomed in all and every common recouerie oꝛ recoveries, suffered befoze him in the said Court of Portmoot in absence of the tenant oꝛ tenants, vouches oꝛ vouches, in such recouerie oꝛ recoveries, to award & send foꝛth of the said Court, a writ, process, oꝛ precept of Dedimus potestatem, in the name of the Queene that now is, and of her progenitoꝛs, Kings and Queenes of England, foꝛ the time being, vnder the Tesse of the said Shaoꝛ foꝛ the time being, and sealed with the Seale of his Office, thereby authorizing those to whom the same was directed, oꝛ some of them, to receiue Warrants of Attorneys from such Tenant, oꝛ Tenants, Vouches, oꝛ Vouches, oꝛ such Attorney, oꝛ Attorneys, as the said Tenant, oꝛ Tenants, Vouches, oꝛ Vouches, would in his oꝛ their pace, oꝛ places, constitute foꝛ him, oꝛ them, to appeare in the said Court, and to gaine oꝛ lose the said Lands, Tenements, oꝛ hereditaments, in, oꝛ by such Recouerie oꝛ Recoveries, demanded, oꝛ to be recovered: Be it enacted, That
upon

upon all and every such originall writt or writts, hereafter to be purchased out of her highnesse said Court of Exchequer, as aforesaid, for the leuying of any Fine, or Fines, within the said Citie of Chester, the Mayor of the said Citie for the time being, shall for ever hereafter haue full power and authoritie, to award and send forth such like writt, or writts, Proses, or Precepts, of Dedimus potestatem, as is aforesaid, to any two or more sufficient persons, authorizing them, or some of them, to receiue and take the acknowledgement of such person, or persons, as shall be willing to leuie such Fine, or Fines, and by reason of sicknesse, or other reasonable impediment, cannot come in person before the said Mayor for the time being, to make such acknowledgement: And all and euery such Fine and Fines, as upon any such acknowledgement made and certified into the said Court of Portmoot, shall be hereafter ingrossed, recorded, and proclaimed, in such maner and forme, as is formerly limited and appointed, before the Mayor of the said Citie, for the time being, in the said Court of Portmoot, shall be of like force and effect, to all intents, constructions, and purposes, as if the same Fine or Fines had been personally acknowledged before the said Mayor, and ingrossed, recorded, and proclaimed, in such maner and forme, as in and by this present act is formerly appointed and declared.

A Dedimus potestatem to receive a fine in Chester.

43. Eliz. 15.

16 Provided alwaies, That Fines to be leuied by vertue of this Act, shall be subiect to be reuerfed, and may be reuerfed, upon writts of Errour, to be sued and prosecuted before the said high Iustice of the said Countie Palantine of Chester, as other Iudgements giuen by the said Mayor, in the sayd Portmoot Court, may be & haue shold to be, if there shall be found Erroꝝ in the same Fine or Fines.

The reuerfai of a fine leuied in Chester.

43. Eliz. 15.

17 All and singuler Fines, as well heretofore leuied, as hereafter to be leuied, before the Iustices of the Common Pleas, with Proclamation according to the foresayd Statute made the fourth yeare of the raigne of King Henrie the seventh, by any person or persons of full age of twentie one yeares of any Manors, Lands, Tenements, or other Hereditaments, before the time of the same fine leuied in any wife entailed to the person or persons so leuying the same fine, or to any the auncestor or auncestors of the same person or persons in possession, reversion, remainder, or in vse, shall be immediatly after the same fine leuied, ingrossed, and proclamations made, aduindged, and taken to all intents, a sufficient barre and discharge for ever, against the same person and persons, and their heires clayming the said lands, tenements, and hereditaments, or any parcell thereof, onely by force of any such entaile, and against all other persons clayming the same, or any parcell thereof onely to their vse, or to the vse of any manner of heire of the bodies of them.

A fine leuied by tenant in taile, shall be a barre to the heire of his bodye.

32. H. 8. 36.

18 But this act shall not extend to barre the lawfull entry, title, or interest of any heires or persons, giuen or accrued to any of them, in, or to any manors, lands, tenements, or hereditaments, by reason of any fine leuied by any woman, after the death of her husband, contrary to the forme, intent, and effect of the Statute made 11. H. 7. 20 of any manors, lands, tenements, and hereditaments, of the inheritance or purchase of the said husband, or of any his auncestors, giuen or assigned to any such woman in dower, for terme of life, or in taile, in vse, or in possession: But the same act made 11. H. 7. shall remaine in full strength, in euery clause therein contained, as though this act had not bin made. 32. H. 8. 36. S. Women 1.

Fine leuied by the wife of the inheritance of her late husband.

19 Neither shall this act extend to any fine heretofore leuied or hereafter to be leuied of any lordships, manors, lands, tenements, or other hereditaments, the possessors & owners wherof, by reason of any expresse words contained in any especiall act or acts of parliament made since 4. H. 7. be bounden or restrained from making any Alienations, discontinuance, or other alterations of any of the same manors,

A fine leuied by him which is restrained by parliament

Fines.

nozs, lands, &c. contained in the said fine: But every such fine shalbe of such like force and strength in the law, and of none other effect, then the same should have bin, if this act had never been made. 32. H. 8. 36.

*Fines of lands
whereof the
reversion is in
the R.*

20 Neither shal this act extend to any fine leuied by any person of any mannozs, lands, tenements, or hereditaments, before the time of the leuying of the same fine given, granted, or assigned, to the said person, or to any of his ancestors in the taile, by vertue of any letters Patents of R. H. 8. or of any of his progenitors, or by vertue of any Act or acts of Parliament, the reversion whereof at the time of the same fine leuied, being in the R. his heires, or successors: But every such fine shal be of like force and effect, as they were or should have been, if this act had not bin made. 32. H. 8. 36.

*Exception that
the demandant
ac. was als
waies seized.*

21 No Exception, Answer, or Inquisition of the Countrey shall be admitted by any persons, being parties to any Fines, or by their heires to anyd and defeat such Fines, in alledging that before the fine leuied, at the leuying thereof, and since the fine leuied the demandants or plaintifes or their ancestors were alwaies seized of the Land contained in the fine, or of some parcell thereof. Stat. de finibus 27. Ed. 1. 1.

*Inrolment of
fines and re-
coueries.*

22 Every writ of covenant and other writ, wherupon any fine heretofore hath been leuied, or hereafter shal be leuied, the returne thereof, the writ of Dedimus possidatum, made for the knowledging of any of the same Fines, the returne thereof, the concord, note, & foot of euery such fine, the proclamations made thereupon, & the R. Silver, and also every originall writ of entry in the post, or other writ, wherupon any common recovery hath bin suffered, or hereafter shal be suffered or passed, the writs of Sum. ad Warrantiz. the returnes of the said originals, and writs of Sum. ad Warrantizand. and every warrant of Attorney, had, or to be had, aswell of euery demandant and tenant as vouches extant and remaining, or that shal be extant and in being, may vpon the request or electi- of any person be inrolled in rolls of parchment by such persons, and for such considerations as hereafter in this act shal be mentioned: & the Inrolments of the same, or of any part thereof, shalbe of as good force & validity in law to al intents, for so much of any of them so inrolled, as the same being extant and remaining were or ought by Law to be. 23. Eliz. 3.

*For what er-
rors, fines, &
recoueries
are not re-
uerfable.*

23 No Fine, proclamations vpon fines, or common recoverie heretofore had, leuied, suffered, or passed, or hereafter to be had, leuied, suffered, or passed, shal be reuerfed or reuerfable by any writ of Error, for false or incongrue Latin, rasure, interlining, misentring of any warrant of Attorney, or of any proclamation, misre- turning, or not returning of the Sherife, or other want of, forme in wordes, and not in matter of substance. 23. Eliz. 3.

*What persons
may haue
writs of error
for euery fine
and in what
cases.*

24 Provided alwaies, that this act, nor any thing therein contained, shal barre or exclude any person or persons from any writ of Error, which shal be had, taken, or pursued, within five yeares next after the end of the Session of this present Parliament, vpon any fine or recoverie heretofore had or suffered: Nor from any writ of Error which shal be had, taken, or pursued, vpon any fine or recoverie, heretofore leuied, knowledged, or had, which fine or fines, recoverie or recoveries, or any part or parcell of them, or any of them, now is, or at any time before the first day of June, which shal be in Anno Dom. 1582. shalbe be eremplified vnder the great Seale of England, at and by the suit of any person, that is, or may be intituled to haue or sue any writ of Error vpon any the fines or recoveries heretofore passed: Nor to barre any feme couert, or any person within the age of xxi. yeares, or any person that is non compos mentis, in prison, or beyond the Seas, or of from any writ of Error to be had or prosecuted, for the reuerfing of any fine or recovery heretofore passed, leuied, or suffered: so that such feme couert, or her heires, within vij. yeares next after that she become sole, & such person within the age of xxi. yeares, or his

his heires, within vij. yeares next after he shall come and be of full age of xxi. yeares. And such person that is non Compos mentis, within vij. yeares next after hee shall become of sane memorie, and in default thereof, the heires of such person that is non Compos mentis, within vij. yeares next after the death of such person being non Compos mentis, And such person in prison, or his heires, within vij. yeares next after the same person shall be at liberty, And such person beyond the seas, or his heires, within vij. yeares next after the returne of such person into this realme of England, or the death of the said person, if he shall befoze his returne die in any forreine countrey, shall sue, take, and prosecute their writs of Error, as their cases severally shall require, for reverting of anie of the said fines or recoveries, heretofore passed, leuted or suffered. 23. Eliz. 3.

24 Provided alwayes, That if anie person or persons shall within the time and yeares afoze mentioned, commence or sue his or their writs of Error for the reverting of any the said fines or recoveries heretofore passed, which suit shall fortune to abate by the death of any the parties to the same, Then it shall and may be lawfull for his and their heires at any time within one yeare next after the said seaven yeares expired, to haue, sue, and take their writ of Error, for the reverting of euerie such fine and recovery. And if such heire be an infant, within the age of xxi. yeares, then within one yeare next after the full age of such infant: any thing in this act &c. notwithstanding. 23. Eliz. 3.

A remedie for
the heire, where
the auncel
died, hanging
the suit.

25 Cuery person that shall at any time hereafter take the knowledge of any fine, or warrant of Atturney, of any tenant or bouché, for suffering any common recovery, or shall certifie them or any of them, shall with the certificat of the concord or warrant of Atturney, certifie also the day & yeare wherein the same was knowledged. And no person that taketh any such knowledge of any fine or warrant for anie recovery, shall be bounden, or by anie meanes enforced to certifie anie such knowledge, or warrant, except it be within one yere next after the said knowledge taken, and no clerke or officer shall receive anie writ of covenant, or writ of Entry, whereupon any fine or common recovery is hereafter to passe, vnielste the day of the knowledge of the same fine & warrant shall appeare, in, or by such certificat, vpon paine that euerie clerke that shall receive any such writ, shall forfeit for euerie time that hee shall so offend v. l. And no Atturment in or vpon any fine shall be entred vpon record, except the party mentioned to atturue therein, first haue appeared in the court in person, or by atturney warranted by the hand of one of the J. of the one Bench, or the other, or of one J. of assise vpon a writ of Quid iuris clamat, Quem redditum reddat or Per quæ seruicia, as the case requireth. And euerie entrie of Atturment hereafter to be made, where there shall be no apparance as afoze is said, shall be utterly void, and of none effect, without anie writ of Error, or other meanes to be used for auoiding thereof. 23. Eliz. 3.

The day and
yeare of the
knowledge of
a fine, or war-
rant of Attur-
ney.

Atturment.

26 There shall be for euer one office for the inrolment afozesaid, which shall be & continue an office for euer, called the office of Inrolments of writs for Fines and Recoveries. And the Iustices of the Common pleas for the time being (other then the chiefe Iustice) shall haue & take the care & charge of, and for the Inrolments afozesaid, & shall haue & enjoy the said office, & the disposition thereof, & carefully see & looke to the execution thereof. And in consideration of their charges, paine, & trauell therein, shall haue and take the summes of money hereafter following, and no more: That is to say, for the Inrolment & examination of euerie fine, & the parties thereof befoze mentioned, the sum of vij. s. viij. d. And for the inrolment of the said parties of euerie Recovery, and the examination thereof, vij. s. viij. d. And for euerie exemplification of the inrolment of any fine v. s. And for the exemplification & returnes of euerie writ of Entry, Summons ad warrantizandum, and warrants, v. s. And for the search of the Rolls of one yeare, iiii. d. And for the copy of one sheet of paper, containing

The office of
Inrolments.

Fees for in-
rolment of
fines and re-
coveries.

Fines.

ta in ing riii. lines, iiii. d. And the said J. or one of them, shall examine the enrolments of every such Fine, & parts of recoveries, & forthwith after examination thereof, and immediately after the Enrolment of every such fine & parts of Recoveries, write his name that so examineth, with his shone hand in the Roll thereof, upon pain that the said J. shall forfeit to the Qu. v. l. for every time that they, or some one of them, shall make default of such examination or writing of his or their name, as aforesaid is said. And it shall & may be lawfull to & for the Justices of the said court of common pleas, from time to time, to take order in all things that shall be convenient & needfull for the enrolments aforesaid: And upon examination in the said court to assesse such fine or amercement, upon any clerk, sherife, deputy, attorney, and other person, for his and their mispicion, contempt, and negligence, for not doing, or misdoing in any thing, of, in, or concerning the said fines & recoveries, or any part of them, or eyther of them, as by the said J. of the said court of common pleas for the time being, shall be thought meet and convenient: the said fine and amercement to be escreated amongst the fines and amercements of that court where such offence or mispicion shall be committed. 23 Eliz. 3.

Assessing of fines for mispicion, contempt, or negligence.

A Table containing the content of every fine shall be set up in the Common place, and at the generall Assises.

27 The Chirographer of fines of the Common Pleas for the time being, for ever shall write and make, or cause to be written and made for every county, where her Maiesties writ runneth, one Table, wherein shall be contained such contents of every fine, that shall passe in any one Terme, as hereafter is mentioned: That is to say, the name of the Countie, wherein the tenements mentioned in any Fine be, the name of every plaintife and deforçant, and of every man or named in the fine, if any such be, and of the towne and places where the tenements in such Fine comprised do lie. And the first day of the next Terme, after the ingrossing of every such Fine, shall fire every of the said Tables upon some open place of the court of common pleas, and so every day of the said Terme during the time of sitting of the said court. And the said Chirographer shall deliver to every Sherife of every county, his Undersherife or Deputie, faire written in parchment, a perfect content of the Table, so to be made for that Shire, in the Terme that shall be next before the Assises be holden in the said countie, or else meane betweene that Terme and the said assises. And every such Sherife to whom such parchments with the contents aforesaid, shall be delivered the first day of the next assises after the delivrie thereof unto him, and every day during the said assises, shall fire and set up the same writing undefaced, in some open place in the court where the Justices of the assise of that countie shall sit, and shall see the same to continue there, during such time as the said J. shall sit there in court, upon paine that every Chirographer and Sherife offending against any thing in this act containned, shall forfeit to the Qu. and J. v. l. to be recovered in any court of Record, wherein no C. p. or W. shall be allowed. And the Chirographer for the time being, shall have and take for every such content of every fine so set downe in the Table aforesaid, iiii. d. 23. Eliz. 3.

The Chirographer his fee for the content of a fine.

Carle of Kent his title.

28 And for as much as upon great examination it appeareth, that divers Fines and Recoveries have bin heretofore levied and suffered of divers manors, messuages, Lands, tenements, and hereditaments, which sometime were the inheritance of George, sometime Carle of Kent, great grandfather to Henry now Carle of Kent, in use, possession, reversion, or remainder, whereunto the said now Carle of Kent pretendeth title, in use, possession, reversion, or remainder, which if they be eronious, as is pretended, doe much varie from the generall cause and mischief, for which this Statute meaneth to provide: Therefore this Statute nor any thing therein contained, shall extend to take away any writ of Error, whereunto any person or persons is now, or hereafter shall be lawfully intituled for the reversing of the said Fines or Recoveries, or any of them heretofore levied or suffered of any of

of the said manors, messuages, lands, tenements, or hereditaments which late were any part or parcell of the inheritance of the said George, sometime Earle of Kent, in life, possession, reuerſion, or remainder: any thing in this Stat. &c. notwithstanding. 23. Eliz. 3.

29 It shall and may be lawfull for the I. clerkes authozized by their warrant in the said severall offices & places, where the same Records, or any of them, do or shall remaine, to write out or in all the same records, and every part thereof, without any thing to be payed therefor: And the said Records, nor any of them, for the writing out, or making the rols thereof, by the clerkes of the said Iustices, otherwise then for the examination thereof by the I. shall be brought, or caried forth of the said offices or places. 23. Eliz. 3.

Records are not to be removed forth of the office.

30 None of the fines or recoveries heretofore leuied, passed, or suffered, which shall be exemplified vnder the great seale, according to the forme of this act, shall after such exemplification had, be in any wise amended. 23. Eliz. 3.

No fines or recoveries: & amended, after exemplification: & Inrolment of fines & recoveries in Wales, and the counties Palatine.

31 Every writ of covenant, and other writ whereupon any Fine heretofore hath bene leuied, or hereafter shall be leuied, the returne thereof, the writ of Dedimus potestatem, made for the acknowledging of any of the same fines, the returne thereof, the concord, note and sot of every such fine, the proclamations made thereupon, and the B. S. luer, and also every originall writ of Entre in the Post, or other writ whereupon any common recovery hath bene suffered, or hereafter shall be suffered or passed, the writ of Summons ad warrantizandum, the returnes of the said originals, and writs of Summons ad warrantizandum, and every warrant of Attorney, had, or to be had, as well of every demandant and tenant, as Touché extant and remayning, or that shall be extant and being in the courts of assises or great sessions, within the twelue Shires of Wales, Towne and County of Hauerford West, and Counties Palatine of Chester, Lancaster, and Daresme, or in the custodie of the officers to whom the charge of keeping thereof both appertaine, may vpon the request or election of any person or persons, be inrolled in rols of parchment, by such persons, and for such considerations, as hereafter in this act shall be mentioned. And the inrolments of the same, or any part thereof, shall be of as good force and validitie in the law, to all intents, respects, and purposes, for so much of any of them so inrolled, as the same being extant and remayning, were or ought by law to be. 27. Eliz. 9.

32 No fine, proclamations vpon fines, or common recoveries, heretofore had, leuied, suffered, or passed, or hereafter to be had, leuied, suffered, or passed in any of the said xij. Shires of Wales, townes & countie of Hauerford West, or Counties Palatine, shall be reuerſed or reuerſable by any writ of Error, for false or incongrue Latine, Misure, Interlining, Misentrining of any warrant of Attorney, or of any proclamation, misreturning, or not returning of the Sherife, or other want of forme in words, and in matter of substance. 27. El. 9.

For what Errors, fines & recoveries are not reuerſable.

33 Provided alwayes, that neither this act, nor any thing therein contained, shall barre or exclide any person or persons from any writ of Error, which shall be had, taken, or pursued within five yeares next after the end of this Session of this present parliament, vpon any Fine or recovery heretofore had or suffered in any of the courts aforesaid: Nor from any writ of Error, which shall be had, taken, or pursued vpon any Fine or Recovery heretofore, leuied, acknowledged, or had, in any of the Courts aforesaid, within any of the said xij. Shires of Wales, or Towne and County of Hauerford West: Which Fine or Recovery, or any part or parcell thereof now is, or at any time before the first day of June, which shall be in the yeare of our Lord God 1585, shall be exemplified vnder the iudiciall Seales of the said courts, at or by the suit of any person that is or may be intituled to haue or sue any writ of Error vpon any the same fines or recoveries so heretofore passed:

In what cases writs of Error shall be allowed.

Fines.

sed : For from anie writ of Error, which shall be had, taken, or pursued upon anie Fine or Recoveries heretofore leuied, knowledged, or had in anie of the Courts aforesaid, within anie of the said Counties Palatine, which Fine or Recoverie, or anie part or parcell thereof now is, or at anie time before the said first day of June, which shall be in the yeare of our Lord God 1585. shall be exemplified vnder the seale of the same Countie Palatine, where the same Fine or Recoverie shall be so leuied, knowledged, or had, at, or by the suit of any person that is or may be intituled to haue or sue any writ of Error upon the same fine or Recovery so heretofore passed : For to barre any Feme couert, or any person within the age of twentie one yeares, or any person that is Non compos mentis, in prison, or beyond the seas, of, or from any writ of Error to be had or prosecuted for the reuerling of any Fine or Recovery heretofore passed, leuied, or suffered in anie of the said twelue Shires of Wales, Towne and Countie of Hauerford West, or Counties Palatine : So that such Feme couert or her heires within seven yeares, next after that she become sole, And such person within the age of twentie one yeares, or his heires within seven yeares next after he shall come and be of full age of twentie one yeares, And such person that is Non compos mentis, within seven yeares next after he shall become of Sanze memorie, and in default thereof, the heires of such person that is Non compos mentis within seven yeares next after the death of any such person, being Non compos mentis, And such person in prison, or his heires, within seven yeares next after the same person shall be at libertie, And such person beyond the seas, or his heires within seven yeares next after the returne of such person into this Realme of England, or the death of the said person, if he shall before his returne die in any forreine countrey, shall sue, take, and prosecute their writs of Error, as their causes shall severally require for reuerling of any of the said Fines or Recoveries heretofore leuied, or suffered. 27. Eliz. 9.

A remedy for the heire, where the ancestor dieth, hanging the suit.

34 If any person or persons shall within the time and yeares aforesaid, commence or sue his or their writs of Error, for the reuerling of any of the said Fines or Recoveries heretofore passed, which suit shall fortune to abate by the death of any of the parties to the same : Then it shall and may be lawfull for his and their heires at any time within one yeare next after the said seven yeares expired, to haue, sue, and take their writ of Error for the reuerling of euery such Fine and Recovery. And if such heire be an Infant within the age of 21. yeares, then within one yeare next after the full age of such infant: any thing in this act &c. notwithstanding. 27. Eliz. 9.

The day and yeare of the knowledge of a fine or warrant of Attorney for a recovery, shall be certified.

35 Euery person that shall at any time hereafter take the knowledge of any Fine, or warrant of Attorney, of any tenant or vouché for suffering any common Recovery to be leuied, knowledged, passed, or had, within any of the said twelue Shires of Wales, Towne and Countie of Hauerford West, or Counties Palatine, or shall certifie them, or any of them, shall with the Certificat of the Concorde, or warrant of Attorney, certifie also the day and yeare wherein the same was acknowledged. And no person that taketh any such knowledge of any fine or warrant for any recovery, shall be bound, or by any meanes enforced to certifie any such knowledge or warrant, except it be within one yeare next after the said knowledge taken. And no Clerke or officer in any of the said twelue Shires of Wales, Towne and Countie of Hauerford West, or Counties Palatine, shall receive any Writ of Covenant, or writ of Entrie, or anie other writ, whereupon any Fine or common Recovery is hereafter to passe, vntill the day of the knowledge of the same Fine and warrant shall appeare, in, or by such Certificat, upon paine that euery Clerke that shall receiue any such writ, shall forfeit for euery time that he shall so offend, the summe of xl. s. And no Attournement, in, or vpon any such Fine, in any the Courts aforesaid, shall be entred vpon record, except the party mentioned to at-
tune

Attournement.

turne therein, first haue appeared in the court in person, or by Attorney warranted by the hands of one of the Iustices of the same Court, vpon a Writ of Quid iuris clamar, Quem reddidit reddit, or Per quæ seruitia, as the cause requireth. And every entry of Attournement hereafter to be made in any of the Courts aforesaid, wherein there shall be no apparance, as aforesaid, shall be utterly void, and of none effect, without any Writ of Error, or other meanes used for auoiding thereof. 27. Eliz. 9.

36 Where shall be for ever an office for the Inrolments aforesaid in every of the said twelue shires of Wales, Towne and County of Haverford West, and Counties Palatine, which shall be and continue an office for ever, called the Office of Inrolments of Fines and Recoveries. And the Iustices of the said twelue shires of Wales, towne and county of Haverford West, and counties Palatine for the time being, that is to wit, every of them within the limits and p̄cincts of their seuerall authorites and Commissions, shall haue and take the care and charge, of, and for the inrolments aforesaid, and shall haue and enioy the said Office, and the disposition thereof, and carefully see and looke to the execution thereof. And in consideration of their charges, paine, and trauell therein, shall haue & take the summes of money hereafter following, and no more: that is to say, for the inrolment and examination of every fine, and the parts thereof v. s. And for the inrolment and examination of every Recovery, and the parts thereof v. s. And for every exemplification of the inrolment of every fine and the parts thereof iij. s. iij. d. And for every exemplification of the inrolment of euery Recovery, and the parts thereof iij. s. iij. d. And for the search of Rolles for one yeare iij. d. And for the copie of one sheet of paper containing xliij. lines, iij. d. And the Iustices of the said Courts of assises, or great sessions for the time being, within the said twelue shires of Wales, Towne and County of Haverford West, and Counties Palatine, or any one of them within the seuerall limits and p̄cincts of their said seuerall Commissions, shall examine the Inrolment of euery such Fine and Recovery, and of the parts thereof, and after such examination of the inrolment of euery such Fine and Recovery, and of the parts thereof, shall immediately write his name that so examineth, with his owne hand in the Roll thereof, vpon paine that the said Iustices shall for, to the M. Maiesty the summe of xl. s. for euery time that they or one of them shall make default of such examination or writing of his or their name as is aforesaid. And it shall and may be lawfull to and for the said Iustices, or any of them for the time being, to take order in all things that shall be conuenient & needfull for the inrolments aforesaid. And vpon examination in the said courts, to asseesse such fine or amerciamento vpon any therise, clerke, deputy, attorney, or other person for his & their misp̄sion, contempt, & negligence for not doing, or misdoing in any thing, of, in or concerning the said fines or recoveries, or any part of them, or either of them, as by the said I. for the time being, or any one of them shall be thought meet & conuenient. The said fine & amerciamento to be estreated amongst other fines & amerciaments of the court where such offence or misp̄sion shall be committed. 27. El. 9.

37 The exemplification of any such inrolment of any fine or recovery, or of any part thereof, within any of the said twelue shires of Wales, or of the said towne and County of Haverford West, vnder the iudiciall seale of the said Shire, Towne, or County, where such fine or recovery was leuied, had, or passed, and the exemplification of any such Inrolment of any fine or recovery, or of any part thereof, within any of the said Counties Palatine, vnder the seale of that Countie Palatine where such fine or recovery was leuied, had, or passed, shall be of as good force and validity in the law, to all intents, respects, and purposes, for such part, and so much of any of them, as shall be so exemplified, as the very originall record it selfe being extant and remaining, were, or ought by Law to be. 27. Eliz. 9.

The office of Inrolments.

Fees for inrolments and exemplifications of fines & recoveries.

Assessing of fines for misp̄sion, contempt, or negligence.

The exemplification of a good force, as the originall record.

Fines. Fish, and Fishers.

Records shall
not be remo-
ved forth of
the offices.

38 It shall be lawfull for the Justices clerkes, authorized by their warrant in the said severall offices and places, where the same records, or any of them, doe or shall remaine, to write out or inroll the same records, and every part thereof. And the said records, nor any of them, for the writing out, or making of the rolls thereof, by the clerkes of the said Justices, shalbe brought or carried forth of the said offices or places. 27. Eliz. 9.

So amende-
ment of fine or
recovery after
exemplificatiō

39 None of the said fines or recoveries aforesaid heretofore leuied, passed, or suffered, which shalbe exemplified vnder any iudiciall seale of any of the said Offices of Wales, or towne or county of Hauesford West, or vnder the seale of any of the said counties Palatine, according to the forme of this act, shall after such exemplifications had, be in any wise amended. 27. Eliz. 9.

Lord Powys
Herbert.
Wernon.

40 This act or any thing therein contayned, shall not in any wise extend to the preiudice of the heires of Sir Edward Grey Knight, Lord Powys deceased, or of Sir Edward Herbert Knight, or his his heires or assignes, Henry Wernon, or John Wernon, Esquires, or their heires or assigns, for, or concerning any fine leuied, or recovery suffered, by, or against the said Lord Powys, of any Baronies, Honors, Mannors, Lands, Tenements, or Hereditaments, in the countie of Mountgomery, or any exemplification thereof, or for, or concerning any writ of Error brought or to be brought for the reuerling of any such fine or recovery: But they and every of them shall haue and enioy the same right, title, benefit, and advantage, to all intents and purposes, as if this act had neuer bin had or made. 27. Eliz. 9.

The Earle of
Kent.

41 And soasmuch as vpon great examination it appeareth, that diuers fines and recoveries haue bin heretofore leuied and suffered of diuers Castles, Mannors, Mesuages, Lands, Tenements, and Hereditaments, which sometime were the inheritance of George sometime Earle of Kent, great Grandfather to Henry now Earle of Kent, in vse, possession, reuerlion, or remainder, whereunto the said now Earle of Kent pretendeth title in vse, possession, reuerlion, or remainder, which if they be erroneous, as is pretended, do much varie from the generall cause and mischiefe, for which this Stat. meaneth to prouide: Wherefore this Stat. nor any thing therein contayned, shall not extend to take away any writ of Error, whereunto any person or persons is now or hereafter shall be lawfully intituled to haue for the reuerling of the said fines and recoveries, or any of them heretofore leuied or suffered of any of the said Castles, Mannors, Mesuages, Lands, Tenements, or Hereditaments, which late were any part or parcell of the inheritance of the said George sometime Earle of Kent, in vse, possession, reuerlion, or remainder: Any thing in this Statute &c. notwithstanding. 17. Eliz. 9.

1 Writs of couenant, and all other writs may be sued for fines, to be leuied of any Ecclesiasticall profit. S. Tythes 23.

2 The fee of the Chirographer of the common place for a fine leuied. See Chirographer 1.

3 Writs shalbe enrolled whereupon fines shalbe leuied. S. Chirographer 2.

4 For the leuying of fines in Wales, making the Proclamations, and paying the Kings Silver, and other Fines. S. Wales 21. 22. 23.

Fish, and Fishers.

Taking of
Salmons.

VWho soeuer taketh Salmons in any water, wherein Salmons be commonly caught, from the Natinitie of our Lady vntill Saint Martins day (except in the Countie of Lancaster, where they may be taken at all times, sauing betwixt Michaelmas and Candlemas) or taketh or destroyeth by nets or other engines

gines young Salmones at Mill Poles, or in any other places, from the middelt of Appill, untill the feast of Saint John Baptist, or doth put in any waters of this realme, at any time of the yeare, any nets or engines whatsoever, by the which the frye or breed of Salmones, Lampreyes, or other fish, may in any wise be taken or destroyed, shall for the first offence haue his nets burned, for the second be imprisoned a quarter of a yeare, and for the third a whole yeare, and so further, as the trespassse increaseth: Which punishments for offences in fresh waters, shall bee executed by Conservatozs swozne. 13. Edw. 1. 46. 13. R. 2. 19. The Iustices of Peace shall bee Conservatozs of this Statute in the Counties where they bee Iustices, and they shall appoint vnder Conservatozs, which shall be swozne. And if any be conuict of an offence committed contrarie to this Statute, he shall be imprisoned, & make fine at the Just. discretion. And the Maior of London shall haue the conseruation of this Statute in the Riuer of Thames and Medway. 17. R. 2. 9. S. Iustices of Peace 41.

Conservatozs

2 If the Admirall, or any Officer or Minister of the Admiraltie, shall exact, receive, or take, by himselfe, his seruant, or deputie, of any Merchant, or Fisherman, any summe of money, doles, or shares of fish, or any other reward or benefit, for any licence to passe this Realme into Iseland, Betwound Land, Ireland, or other places commodious for the getting of fish, or for any other respect concerning the said voyages, he shall forfeit for the first offence treble the summe or value of the reward so taken, to the King and Informer &c. to be recovered by A. T. &c. wherein no W. &c. C. P. &c. and for the second offence shall loose his Office, and make fine at the Kings pleasure. 2. Ed. 6. 6.

Exactions on them which trauell for fish

3 Whosoener doth by any Engine, Cautell, wayes or meanes whatsoever, take and kill any young Wood, Spawne, or Frye of any Fish, in any Floud, gate, Pipe, or the tayle of any Mill, Weate, or in any Straites, Streames, Brookes, Riuer, salt or fresh: Whoso shall take in any of the foresaid places, Beeper, or Shedder Salmones or Trouts, not being in season, shall forfeit for euery offence twentie shillings, the fish so taken, and the Nets, Engines, &c. wherewith he toke the same. 1. El. 17.

Taking of Spawne.

Taking of Salmones or Trouts not seasonable.

4 Whosoener doth take and kill any Pickerell, not being in length tenne ynches fish, or moze, or any Salmon not being sixteene ynches, or any Trout not being eight ynches, or any Warbell, not being in length twelue ynches, or moze: Whoso doth fish with any Net, Tramell, Kepe, Wioze, Vinie, Cræle, or other Engine or denice, but only with Net or Tramell, whereof euerie Mesh shall bee two ynches and a halfe broad (except Angling, and lawing for the onely taking of Smelts, Loches, Pinolwes, Bulheads, Gudgeons, and Celes, in such places where they haue bin vsed to be taken and killed) shall forfeit for euery offence xx. s. the fish so taken, and the vnlawfull Nets and Engines wherewith he took the same. 1. El. 17.

The length of fish which may be taken.

Of what mesh each net ought to be.

5 Provided that this Statute extend not to the fishing of the Riuer of Twede, Tweede, Uss, or of any water, wherof the W. is answered any yerely rent or profit, nor to the owners, farmers, or occupiers of the Riuer of Usske, or Ussye, in the county of Downmouth. 1. El. 17.

Wye.

6 The Lord Admirall of England, Maior of London, and euerie other person or persons, Bodies Politicke and Corporat, which haue or ought to haue any conseruation of any Riuer, Streame, or Water, or punishment of offences committed in any of them, hath authoritie to enquire by the oathes of twelue men, or moze, and to beare and determine all the offences committed contrarie to the true meaning of this Act, within his iurisdiction. 1. Elizab. 17. 1. Jac. 25. To continue to the end of the first Session of the next Parliament. S. Leetes 6. Iustices of peace 40.

Fish and fishers.

Destroying of
poies of fi-
shing.

7 Whosoener shall by day or night unlawfully without authoritie, bresake, cut downe, cut out, or destroy the head or damme of any Pond, Poole, Poat, Stagne, Steyn, or severall Pit, wherein fish are or shall be put, or stozed by the owner or possessor thereof, or do, or shall wrongfully fish in any of the said severall ponds, pools, &c. to the intent to destroy, kill, take, or steale away any of the same fish, against the will of the owner or possessor of the same not having lawfull authoritie so to doe, and being thereof lawfully convicted at the suit of the Queen, &c. or the party grieved, shall pay to the partie grieved his treble dammages, suffer imprisonment thre moneths, and then shall find sufficient suretie for his good abearing against the Qu. and all her liege people, for the space of seven yeares after, or else shall remain in prison without baile or mainprize, until he hath found sufficient suretie. And it shall be lawfull for the party grieved to sue and take his further remedie against every such offendor, for his losse and damages befoze the Justices of Peace, Justices of Assise, and Justices of Oyer, &c. or elsewhere, in any other the Qu. Courts of Record, and upon satisfaction, or confession of the damages, to release to the offendor the suretiship of good abearing at any time within the seven yeares. 5. Eliz. 21 S. Lu. of Peace 34.

Packing of
Salmon, and
the contents of
the vessels.

8 Whosoener selleth or putteth to sale any Salmon, by Butte, Barrell, halfe Barrell, or other vessel, befoze it be seene, except the butte do containe eightie foure Gallons, the Barrell fortye two, the halfe Barrell one and twentie Gallons, well and faithfully packed, shall forfeit for everie vessel so lacking measure, by s. big. 8. And he that doth not packe the great Salmon by it selfe, & the small fish called Gills by it selfe, but doth mingle the great Salmon with the Gills, or broken bellied Salmon, shall forfeit. for every vessel so packed and put to sale, by s. big. 8. 22. Ed. 4. 2. 11. H. 7. 23.

Herrings.

9 Whosoener putteth to sale any Herring by Barrell, halfe Barrell, or Firkin (except the Barrell containe thirtie two Gallons, the halfe Barrell and Firkin after the same rate) and that the Herring bee of one times taking and salting, and except it be well and iustly couched and packed in the middelt, everie end and part thereof, shall forfeit for everie offence thre shillings foure pence. 22. Ed. 4. 2. 11. H. 7. 23. But the Assise of xxxij. Gallons of Wine measure, which is about xxvij. Gallons by old Standerd, wel packed, and containing in everie Barrell a thousand full Herrings at the least, shall be taken for true and lawfull assise of Herring Barrels. 13. El. 11. S. 3. Ed. 3. that sixscore Herrings be accounted a hundred, and ten thousand a last.

Celes.

10 Whosoener putteth to sale Celes, except the Barrel do containe xliij. gallons, the halfe Barrell and Firkin after the rate, or mingleth, packeth, & putteth to sale any Red, Calbeaten, Dozen, or slipped Celes, with good Celes, shall forfeit for every such offence x. s. 22. E. 4. 2. 11. H. 7. 23.

How fish shall
be packed.

11 Whosoener putteth to sale any barrell fish, except the countable fish, called Tale fish, be packed by it selfe, & the small fish called Gills by it selfe, without mixture of them, and without packing of fish with broken bellies with Tale fish, or small fish: Or doth lay Tale fish, or small fish, double in packing: Or packeth any Tale fish, which doth not containe in length from the bone in the sinne, to the third joint of the taile, six & twentie ynches at the least: Or packeth fish, the napes whereof be longer than to the little bone, which is upon the great sinne, or which fish is not splatted downe, or opened to a handfull of the taile, or the bone whereof is not taken away to the navill of the same fish, shall forfeit iij. s. iiij. d. for everie Barrell which shall be found not packed, sorted, mixt, naped, laid double, or not boned, as is aforesaid, &c. The one moitie of which said forfeitures shall be to the Qu. & the other to him or them that will seise or sue for the same, by A. B. P. wherein no W. C. P. &c. 22. Ed. 4. 2. 11. H. 7. 23.

12 Euerie Gauger, Packer, and Searcher, shall take no more for gauging of a Barrell of Salmon, Herring, Fish, Celes, halfe Barrell, and Firkin, than for every pæce q. and for his labour for searching and packing (if need be) of a Barrell of Salmon, from head to head, a penny, and for boning, naping, and packing of a Barrell of fish (if need be) a penny, and for searching and packing of a Barrell of Herring (if need be) two pence, and for searching and packing euery Barrell of Celes, two pence. And so in halfe Barrells and Firkins of Herrings and Celes, they shall take according to the former rate. And if any Gauger, or Searcher, or Packer, do the contrary, he shall lose his office, and also be imprisoned forty dayes. But the said Searcher or Packer, shall receiue nothing of the said fees, by colour of their office, but only for such butts, barrells, &c. as by them shall be sufficiently searched and packed, and were not sufficiently packed before. 11. H. 7. 23. S. Corporations &c. 14.

What the Gauger shall take for packing of fish.

13 It is not lawfull for any person to buy of any stranger bozne out of the D. obedience, or out of any strangers bottome, any Herring being not sufficiently salted, packed, and casked (Herrings brought into this Realme by reason of shipwreck only excepted) vpon paine to forfeit the herrings so bought, or the value thereof. 5. Eliz. 5.

what Herrings may be bought of strangers.

14 It is not lawfull for any person to bring into this Realme any Codde or Ling in Barrells, or other Caskes, but loose in bulke, and by tale, to be sold within the Realme, vpon paine to forfeit all the Cod or Ling, &c. or the value thereof. 5. Eliz. 5. 1. Jac. 25. To continue till the end of the first Session of the next Parliament.

Cod and Ling shall be brought loose into this Realme.

15 No Fish taken or brought into this Realme by any Stranger, nor any Fish commonly called Scottish Fish, or Flemmish Fish, shall bee dyed with in England, to be sold, vpon paine of forfeiture of all such fish, or the value thereof, which forfeiture shall bee to such person dwelling at any Towne where is any Port, Pære, or Hauen, as will seise the same, or sue for the value in any Court of Record, to bee employed to the repaire and maintenance of such Port, Pære, or Hauen, as is next to the place where the offence shall be done. 13. Elizabeth. 11.

Fish brought in by strangers shall not be dyed in England.

16 No Herring shall bee bought or sold on the Sea, vntill the Fishers bee come to the Hauen with their Herrings, and that the Cable of their Shippe bee drawne to the land, and the sale of them shall bee from the Sunne rising vntill the Sunne setting, and not before, nor after, vpon paine of forfeiture thereof. 1. Edw. 3. 1.

The sale of Herrings.

17 It shall and may be lawfull for all and euerie the Queenes subiects, being owners of any Ships, Barks, or vessels sayling with crosse sailes, to receiue and take into their said Ships, or &c. any Herrings, or other fish, which any Alien or Stranger shall buy and prouide of any of the D. subiects within this Realme, and the same Herrings and Fish, or any of them may transport into any parts beyond the Seas, being in league or amitie with the D. in their Ships or vessels with crosse sailes, so as the said Aliens or Strangers pay to the D. her customes & duties for the same. 39. El. 10.

The D. subiects may transport fish.

18 All Aliens and Strangers shall from time to time pay to the D. for all salted fish, and salted Herrings, to be brought into this Realme all such like customes and impositions as are and shall be imposed or set vpon the D. subiects in those foreign Regions and Countries, Ports, and Towns, from whence the said salted fish, and salted Herrings, shall be shipped and brought for the like Fishes & Herrings, ouer and besides the ordinarie customes which haue bin paid to the D. for the same. 39. El. 10.

What customs Aliens shall pay for fish.

19 If any alien or stranger bozne, or any denizen, or naturall bozne subiects of
S I y this

Fish, and Fishers.

Bringing in
unwholesome
fish.

this Realme, shall bring into any haven, port, crake, or towne of this Realme, any salt fish, or salt Herrings, which shall not be verie good, sweet, seasonable, and meet for mens meat, and shall offer the same to be sold, and shall be warned by any officer of such port &c. where the same shall be offered to be sold, that the same be not seasonable, nor meet for mens meat: Then if he or they shall after that offer any of the said unseasonable fish to be sold to any person within this realme, or being an Alien borne, and no Denizen, shall not depart with the same from the said haven, port, or towne, so soone as conueniencie will serue: Then all and euerie person, owners thereof, shall forfeit to the Qu. all the said unseasonable fish, vnmeet for mans meat, as before is said. 39. El. 10. 1. Jac. 2. 5. To endure vntill the end of the first Session of the next Parliament.

Ordinances
to restraine
buying or sel-
ling of fish.

20 No ordinance or restraint made or to be made by the Fishmongers of London, or by any other Companie or Coppozation whatsoeuer, shall extend, or be put in execution, during the continuance of the said Act of 39. Eliz. 10. to restraine any Coastmen, Fishermen, or any other Subiects or Fozzeiners, for or concerning the taking, bringing in, putting to sale, or buying of any salted fish, or Herrings, being wholesome and sweet. And euery person, or bodie coppozat, that shall make or create any such ordinance or restraint, shall for euery such offence forfeit an hundred pounds to the Queene and the party grieved, that will sue for the same by Action of debt in any Court of Record, wherein no W. C. P. &c. 39. Eliz. 10. 43. Eliz. 9. 1. Jac. 2. 5.

Fishing in
Somerset,
Devon,
Cornwall.

21 It shall and may be lawfull at all time and times hereafter, to and for euery such Watchmen, Bakers, Puers, Conders, Directers, and Guiders, and all such Fishermen, & other persons, as shall necessarily attend their leanes or nets for the drawing and carrying of Pilchards, Herrings, and othe seane fish, to land or shoare, at the times of fishing for Herrings. Pilchards, and other seane fish with in the counties of Somerset, Cornwall, and Devon, where such fish shall hereafter be taken, to enter and go into and vpon any Lands, Tenements, and Hereditaments, which doe lye or adioine neere vnto any fishing places, and sit, conuenient, and necessarie to watch and balke in, and to draw or carrie the said fish on shoare, and there to watch for the said fish, and to balke, hue, conde, direct, and guid the Fisherman, which shall be vpon the said sea and sea coasts, for the taking of the said fish, and to draw and carrie the said fish on land or shoare, any law, custome, &c. notwithstanding. 1. Jac. 2. 3.

Attendance
on Fishers.

The def. plea
in trespassse.

22 If any Action of Trespasse or other suit shall bee attempted and brought against any person or persons, for entring and going on the land, for watching of the said fish, or for balking, huing, conding, directing, or guiding of the said Fishermen in their boats vpon the sea or sea coast, for taking of the said Fish, or for the landing of the said Fish, as aforesaid, by authoritie of this Act: The defendant or defendants in any such action or suit, shall and may plead not guilty for any thing done by vertue of this Act: And vpon the triall of that issue, the whole matter to bee giuen on both parties in euidence, according to the verie truth of the same, and after such issue tried for the defendant or defendants, or nonsuit of the plaintife or plaintifes after apparance, the same defendant or defendants to recouer his or their damages, by reason of his or their wrongfull beration in that behalf, with cost also in that behalf sustained, and that to be assessed by the same Iurie that shall trie the said issue, or else by iurat to inquire of the damages, as the case shall require, for which costs and damages such defendant shall and may by vertue of this Act sue forth such execution as the defendant in a Repleuin may do. 1. Jac. 2. 3.

Erecting of
weares.

23 Euery person & persons that from and after the five & twentieth day of July next ensuing this Session of Parliament, shall erect or set vp any new weare or weares along the sea shoare, or in any haven, harbour, or creeke, or within v. miles of

of the mouth of any haven, or creeke, or shall willingly take, destroy, or spoile any ^{Destroying} spawne, frie, or brood of any sea fish in any Weare, or other engine or device what ^{of Spawne.} soever, shall forfeit for everie time so erecting, setting up, taking, or spoiling contrary to this Act, x. l. to the King and Informer. And everie person which after the first day of October next, in any haven, harbour, creeke, or within five miles of the mouth of any haven, harbour, or creeke of the sea, shall fish with any Draw-net, or Drag-net, vnder three ynches meash, viz. one yuch & a halfe from knot to knot ^{The Meash} (except for the taking of Smoulds in Dorsethe onely) or with any net with Can- ^{of nets.} vas, or other engine or device, whereby the Spawne, frie, or Brood of sea fish, may be destroyed, shall forfeit such net, and also forfeit for everie time so doing, ten shillings, the one halfe to the vse of the poore people of the Citie, Towne corporate, Borough, Market Towne, Parish, or Libertie, where the offence or offences shall be committed, and the other halfe to the person that shall sue for the same, the said forfeitures to be leuied to the vses aforesaid, by the Mayor, Bayliffe, or other head Officer of everie Citie, Borough, or Towne Corporate, and by warrant of one or more Justices of Peace, it shall bee lawfull for the Constables and Churchwardens of everie Market Towne, Parish, or Libertie, within which any such offence or offences shall bee done, by way of distress, and sale of the offenders goods, rendering to them the surplusage, according to the order of former statutes, in such cases of forfeitures ordained. Provided alwaies, That this Act shall not extend to punish any person or persons, for using any net or nets of lesser meash, than is by this statute appointed, only for taking of Herrings, Pilchards, Sprats, or Lampreys, any thing in this Act to the contrary in any wise notwithstanding. Provided further, That this Act shall not extend to the Isle and Countie of Anglesey, Anglesey: 3. Jac. 12.

- 1 For the transporting of Herring, and other sea fish. S. Corne 1. Ships 1.
- 2 For restraining or taking Toll of Fish brought into this Realme. See Ships 1.
- 3 No Fisherman shall anker vpon the maine sea, in the time of common fishing, S. Ships 6.
- 4 No Fisherman shall be compelled to serue as a souldier, or as a Mariner, but in certaine cases. S. Mariners 2. 3.
- 5 None of the Qu. Purueyours shall take any fish from any man, that taketh the same in any English mans ship. S. Purueyours 24.
- 6 What fish may be transported without custome. S. Custome 5.
- 7 Who may buy engines to fish in Norfolk. 31. Ed. 3. 2.

Fish daies.

It shall not be lawfull to any person within this Realme, to eat any Flesh vpon any daies now vsually obserued as Fish daies (vpon pain to forfeit twentie shillings for everie time he shall offend, or else suffer one moneths close imprisonment, without baile or mainprise. 35. Eliz. 7.) And everie person within whose house any such offence shall be done, and being priuie, or knowing thereof, and not effectually punishing or disclosing the same vnto some publicke Officer, hauing authoritie to punish the same, for everie such offence shall forfeit thirteene shillings foure pence. (35. Eliz. 7.) All which forfeitures, for not abstaining from meats, shall bee diuided into three equall parts: that is, one part to the vse of the Queene, the other to the Informer, the third to the common vse of the Parish, where the offence shall bee committed, and to be leuied by the Churchwardens after any conuiction in that behalf. 5. El. 5.

No flesh shall be eaten on fish daies.

Fish daies.

Conditions
upon licences.

2 But this act concerning eating of flesh, shall not extend to any persons having special licence, upon causes contained in the same, and graunted according to the Lawes of this Realme: euerie of which licences shalbe void, vnlesse the same containe these conditions, viz. Euerie licence made to any person of the degree of a Lord of the Parliament and his wife, shall be upon condition, that they shall pay to the poore mens bore within the parish where they remaine, &c. in the feast of the Purification of our Ladie, or within six daies after, xxvj. s. viij. d. and to be paid within one moneth next after the same feast, upon pain of forfeiture of the same licence: A knight and his wife shall pay yearely xij. s. iij. d. Euerie person vnder the said degree shall pay yerely vij. s. viij. d. to the said use at the foresaid time, and upon y^e foresaid condition. 5. El. 5.

Licences to
sicke persons.

3 All persons, which by notozious sicknesse shalbe enforced, for the reuenerie of their health, to eat flesh for the time of their sicknesse, shalbe licensed by the Bishop of the Diocesse, or by the Parson, Vicar, or Curat of such Parish where such person is sicke, or of one of the next Parish adioining (if there be no Curat &c. in the same Parish, or if he be wilfull) which licence shalbe signed with the hand of the Bishop, Parson, &c. and endure no longer than the time of sicknesse. And if the sicknesse continue aboue eight daies after the licence granted, it shall be registred in the Church Booke, with the knowledge of one of the Churchwardens. And the partie licensed, shall giue to the Curat iij. d. for euerie entrie, and it shall endure no longer but for his sicknesse. And if any licence by any Parson, Vicar, or Curat, be granted to any person, other than such as evidently appeare to haue need thereof, by reason of their sicknesse, not only euerie such Licence shalbe void, but also euerie such Parson, Curat, or Vicar, shall forfeit for euerie such Licence otherwise granted fine markes. 5. El. 5.

Wasse & beale
excepted.

4 No licence shall extend to the eating of any Wasse, at any time of the yeare, nor to the eating of any Beale, in any yeare from the feast of S. Michael the Archangel, vnto the first day of May. 5. El. 5.

For one dish
of flesh, one
dish of sea fish.

5 Such persons as haue, upon good consideration, any lawfull licence to eat flesh upon any fish day, be bound to haue for euerie one dish of flesh served to be eaten at their table, one vsuall dish of Sea fish, fresh, or salt, to be likewise served at the same table, and to be eaten or spent without fraud, or couin, as the like kind is or shall be vsuallie eaten, or spent on Saturdaies (except such persons as for sicknesse shall for that time be licensed by the Bishop, Curat, or &c. or by reason of age, or other impediment, allowed heretofore by the Ecclesiasticall Lawes of this Realme) upon the paine aforesaid. 5. El. 5. 1. Jac. 25. To continue vntill the end of the first Session of the next Parliament.

Flesh not to
be killed in
Lent.

6 No Butcher, or other person, whether he bee licensed, or not licensed to kill flesh, shall from henceforth at any time in the time of Lent, kill, or dresse, to the intent to put to sale any Oren, or Oren, Becuets, Becues, Hogs, Calues, Hammes, Cwes, or Weathers, except Oren or Becues for victualing of ships into foireine parts, and except all flesh to be killed thzee daies before Easter yearely, upon paine to forfeit and lose the same Oren, Becues, &c. so killed and dresed contrarie to this statute, or the value of them. 1. Jac. 29.

Officers fear-
ching for flesh
killed in Lent

7 All Iustices of the peace, Maiors, Bailifes, head Officers, and Constables, as well of cities and townes corporat, as in euerie countie of this Realme, shall haue full authoritie yearely in the time of Lent, to enter into all houses of victualers, and common victualing houses, within their iurisdiccions, where such offences shalbe suspected to bee committed, & finding any such oren, becues, &c. killed or dresed, or any part or parcell of the same, contrarie to this Stat. shall take and seise the same as forfeited, and shall giue & distribute the same to prisoners, and other poore folkes by their discretion. 1. Jac. 29.

8 Every Tauerneer, Inne-keeper, keeper of every common Tablinghouse, common Cooke, common Tippler, or Alehouse keeper, offending at any time hereafter in the dressing of any flesh victuall, contrary to the Stat of An. 5. El. or contrary to this Stat. shall not only forfeit all the flesh so dressed, but also the penaltie imposed by the said Stat. of 5. El. for everie offence to be committed. The one halfe of all which forfeitures (except such forfeitures as shall be found and taken by the Just. of peace, Maiors, Bailifes, head Officers, and Constables according to the tenor of this Act) shall be to the king, and the other halfe to such person or persons as shall sue or inform for the same in any Court of Record, by A. B. P. or J. wherein no C. P. or W. shall be allowed &c. 1. Jac. 2. 9. To continue to the end of the first Session of the next Parliament.

Victualers dressing of flesh.

Force, and forcible entrie.

Who soever maketh his entrie into any lands or tenements, but in case where his entrie is given by the Law, and that in peaceable and easie manner, and not with strong hand and multitude of people, and thereof is convicted, shall be imprisoned, and pay a fine at the kings pleasure. 5. R. 2. 7. If the plaintife in his action after the apparance of the defendant be nonsuit, or any verdict passe against him, the defendant shall recover costs against the plaintife. 23. H. 8. 15. S. Damages 6.

The punishment, for forcible entries.

2 Who soever doth enter with force into any lands or tenements, or into any Benefices or Offices of the Church, or doth enter peaceably, and after doth hold them with force, upon complaint thereof made to one or more Justices of the peace of the Countie, or to the Mayor, Bailife, Sherife, Justices or Justice of P. of the citie, towne, or borough, having Franchise, where such forcible entrie is made, the said Justice, Mayor, or &c. shall within convenient time take sufficient power of the same Countie, Citie, &c. and at the costs of the plaintife, goe to the place where the force is made: And if he doe find any that made such forcible entrie, or that hold the place with force after peaceable entrie made, he shall take the offenders, and commit them to the next gaole, there to remaine convict by Record of the same Justice, until they have paid a fine to the B. And whether the parties which made such entries be present, or gone at the coming of the Justice, the said Justice, Mayor, &c. shall in some good towne or convenient place, neere unto the place where such force was made, inquire by a sufficient Jurie of the same Countie, Citie, &c. of them which made such forcible entries: And if it be found before them, that any have made entrie contrarie to this Stat. the said Justice, Mayor, &c. shall relesse the said lands or tenements so entred upon, and thereof put the partie in possession, which in such sort was put out. 15. R. 2. 2. 8. H. 6. 9. S. Just. of P. 89.

Forcible entry, or forcible detaining of land.

3 And if any person after such entrie or holding with force, will make a scoffement or other discontinuance to any Lord or other person, to have maintenance therein, the same is utterly boide and also in the cases aforesaid, the partie grieved may have an Assise of Nouel. diss. or an action of Trespas against the disseisor, and if the defendant be attainted of force, he shall answer to the plaintife his treble damages, and also pay a fine to the King. 8. H. 6. 9. 1. R. 2. 9.

A scoffement of lands obtained by force.

4 Provided alwaies, that they which keepe their possessions with force in any lands and tenements, whereof they or their ancestors, or they whose estate they have in such lands or tenements have continued their possessions in the same by iii. yeares, or more, be not endamaged by force of this Statute. 8. H. 6. 9. No restitution upon any Indisment of forcible entrie, or holding with force shall be made to any person or persons, if the person or persons so indicted hath had the occupation, or hath been in quiet possession by the space of three whole yerres together, next before the

Three yerres possession.

Force, &c. Forests, Chases, Parkes, Warrens.

The day of such Indictments so found, and his, her, or their estate or estates therein not ended nor determined, which the partie indicted shall and may alledge for stay of restitution, and restitution to stay untill that be tried, if the other will deny or traaverse the same. And if the same allegation be tried against the same person or persons so indicted, then the same person or persons so indicted to pay such costs and damages to the other partie, as shall be assessed by the Judges or Justices, before whom the same shall be tried, the same costs and damages to be recovered and levied as is vsuall for costs and damages contained in Judgments vpon other actions.

3 1. Eliz. 7.

Each man shall helpe to remove force.

5 If the Sherife or any other of the Countie doe not attend vpon the Justice to go and assist him, to arrest such offenders, he or they so offending, shall be imprisoned, and pay a fine to the King. 15. R. 2. 2.

Forcible entries by maintenance.

6 Whosoever maketh any forcible entrie into any other mans lands in his own right, to his owne vse, or in any other mans right, to his vse, by the way of maintenance, and thereof is attained in an Assise at the suit of the partie grieved, shall bee one yeare imprisoned, and pay to the party grieved his double damages: And also shall answer to the partie grieved, damages for his goods and cattels, if vpon the said disseisin he tooke away any. 4. H. 4. 8.

1 What Jurors shall be returned to enquire of Forcible entries. S. Iuries 12.

2 No dissent after a forcible disseisin shall take away any mans entrie. S. Entrie 1:

3 Where a speciall Assise is grantable vpon a Forcible entrie. S. Assise 6.

4 For Riots, Routs, and vnlawfull assemblies, and all forces thereupon committed. S. Riots.

5 In what cases, in what places, and by what persons force and armes may not be used. S. Armor 2. 3.

6 Proces in Action vpon the Statute of Forble entrie. S. Proces 3.

Forests, Chases, Parkes, Warrens.

The punishment for killing the kings deer.

Hunting disguised.

NO man shall lose life or member for killing of the Kings Deere, but if hee bee taken therewith, and convicted, he shall make a grievous fine (if he hath any thing) if not, he shall be imprisoned a yeare and a day, and after shall be deliuered, if he can find sureties, or otherwise he shall abiure the Realme &c. Charra Forest 9. H. 3. 10. But to hunt in the night in any Forest, Parke, or Warren, or with painted Faces, Visors, or other disguisings, to the intent he would not be knowne, and being examined before one of the K. Counsell, or a Just. of peace of the same shire, to concale the same offence, or any offender, is Felonie. 1. H. 7. 7. S. Felonie 24. Iust. of P. 16.

The punishment of offenders.

2 The Foresters in whose Balitwikes any trespas done within the Kings Forests of Wert or Wenison shall be committed, shall present the same trespas at the next Swanimote before the Foresters, Wardors, Regardors, Agistors, and other Officers of the Forest, which presentment shall be made by the oathes of Knights, and other good and lawfull men, and not suspicious, of the parts adjoining, or neere where such trespas shall be presented, and where the truth may best be known: And the truth being perfectly knowne, then such presentment by the consent of all the said Officers, shall be solemnly written and sealed with their seales. And if any Indictment be in other manner, the same shall be void. And no man shall be taken or imprisoned for Wert or Wenison, vnlesse he be taken with the maner, or indicted in forme aforesaid. And the chiefe Warden of the Forest shall let him to mainepprise, untill the Cire of the Forest, without taking any thing for his deliuerance. 9. H. 3. 16. 1. E. 3. 8. And if any Officer of the Forest doth imprison any person, or doth compeell any person to make any Obligation or ranfome vnto him, against the ordinance

vinance aforesaid, and is thereof attainted, he shall pay the partie grieved his double damages, and make fine to the K. 7.R.2.4. No Po Swanimote shall be holden twiſh, in this Realme, but thrice in the yeare, that is to say, in the beginning of fifteene daies befoze the Feast of Saint Michael, when the Kings Agiffoz shall come to gether, to Agist his demefne woods: And about the feast of S. Martin in Winter, when the Kings Agiffoz ought to receiue pawnsage: And at those two Swanimotes, shall come together the Fofkers, Werdors, and Agiffoz, and none other by distresse: The third Swanimote shall be in the beginning of fifteene daies befoze the feast of S. John Baptiſt, when the K. Agiffoz do meet to hunt his Deere: And at this Swanimote shall meet the Fofkers, Werdors, and none other by distresse. Hozeouer, every forty daies thzough the yeare, the Fofkers and Werdors shall meet, to ſe the Attachments of the fozeſt, as wel ſoz Wert, as ſoz hunting by the preſentment of the Fofkers, and befoze them attached. And the ſaid Swanimotes shall not be kept but within the Counties in which they haue uſed to be kept. Chart Forest. 9.H.3.8.

Swanimotes

3 Whoſoeuer committeth treſpaſſe in Parkes oꝝ Ponds, shall make great amends to the partie, be thzee yerres impziſoned, make fine at the Kings pleaſure, & find ſuretie that he shall not commit the like offence: And if he cannot find ſuretie, he shall abiure: And if he ſlie and haue no land, he shall be proclaimed and outlawed. And if none doe ſue within a yeare and a day, the King shall haue the ſuit: and ſuch as be found guiltie by Engueſt, shall be puniſhed as is abouelaid. Westminster. 1.3.E.1.20.

Treſpas in Parkes oꝝ Ponds.

4 If any Fofkeſſer, Parker, oꝝ Warrener, find any offenders within his Baili, wiſke, there wandring, and doing hurt, which after hay and erie leuied to keepe the peace, and obey the law, will not peeld themſelues to the ſame Fofkeſſer, &c. but will ſlie and defend themſelues by violence: then though the Fofkeſſers, &c. oꝝ any other being in their companie to keepe the K. peace, committing to arreſt ſuch offenders, do ſlay any of the ſaid offenders, he shall neither ſuffer death, noꝝ ſuſtaine any other puniſhment therefoze. But if any of the ſaid Fofkeſſers, Parkers, oꝝ Warreners, by reaſon of any contention, deſpight, oꝝ hatred befoze conceiued, will lay to any mans charge paſſing thzough his Baili, wiſke, that he came thither to do hurt, wher as he did not, neither was found wandring, oꝝ offending, and ſo kill him, and ther of be conuicted, he shall be puniſhed ſoz his death, as he ought to be puniſhed ſoz the death of another being in the Kings peace. 21.E.1.

Killing of offenders in forests, parkes, oꝝ warrens.

5 It is lawfull ſoz every Archbiſhop, Biſhop, Carle oꝝ Baron, comming to the King at his commandement, and paſſing by his Fofkeſt, to take one oꝝ two of his Deere by the view of the Fofker, if he be preſent, oꝝ elle he shall cauſe a hozne to be blowne, leſt he ſhould ſeeme to ſteale it. And likewise they may doe, as they returne home. Chart. Forest. 9.H.3.11.

Noblemen may hunt the K. game.

6 Rangers ſhal goe thzough the fozeſt to make their range, as it hath beene accuſtomed, and none otherwiſe: And dogs ſhal be lawed every thzee yeares, when the range is made by the teſtimonie of honeſt men, in thoſe fozeſts where dogges haue beene uſed to be lawed, and not elſewhere, viz. the thzee clauves of the fozeſoot shall be cut off by the ſkin, and he whoſe dog is not found lawed, shall be amerced iij.ſ. But no Dre ſhal be taken ſoz the lawing of dogs. Chart. Forest. 9.H.3.5.6.

Lawing of dogs.

7 No Furie ſhal be compelled againſt their wils by thzeatnings, oꝝ impziſonment, to trauell from the place where their charge was giuen them, to giue their verdict, noꝝ yet to giue their verdict otherwiſe the their conſcience doth moue them ſoz any treſpaſſe committed within the fozeſt. 7.R.2.3. Neither shall thoſe perſons which do remaine without the fozeſt, come befoze the Juſt. of the fozeſt by common ſummons, except they be impleaded, oꝝ pledges of any perſon oꝝ perſons which bee attached ſoz the fozeſt. Chart. Forest. 9.H.3.3.

The Furie ſhall giue there verdict where they receiue their charge.

2 Every

Forests, Chases, Parkes, Warrens.

Every Just.
for the Forest
may make De-
puties.

8 Every Justice of the R. Forests, Parkes, and Chases, within this Realme, by their writing sealed with the seale of their office, shall make and appoint as many Deputies or Deputies, for the exercising of the same office of the Justices of the Forests, as to such Justices from time to time shall be thought convenient, which deputie and deputies so appointed, shall have like authoritie to doe and execute all things concerning the R. Forests, Parkes, and Chases, and all other things concerning the office of the Just. of the Forests to all intents, and in as ample maner as the same Just. may lawfully doe, and as though the same Just. were there personally present. 32.H.8.35.

Breaking a
Parke or
warren, and
hunting Deer
or Conies.

9 If any person or persons shall in the night time, or by day, wrongfully or unlawfully, breake or enter into any Parke impaled, or any other severall grounds inclosed with wall, pale, or hedge, and bled or kept for the keeping, breeding, & cherishing of any Deere, or Conies, and wrongfully or unlawfully shall hunt, or chace, or chase out, or take, kill, or slay, any Deere, or Conies, within any such impaled park, or inclosed ground with pale, wall, or other inclosure as aforesaid, against the wil, mind, or pleasure, of the owners, occupiers, or possessioners of the same, not having lawfull title or authority so to doe, and thereof shall be lawfully convicted at the suit of the R. his heires or successors, or the party grieved, shall suffer imprisonment of his or their bodies, by the space of thre moneths, And also shall yeeld and pay to the party grieved his treble damages and costs, to be assessed and rated by the Just. before whom he or they shall be convicted, after the said thre moneths expired, & shall find sufficient sureties for his and their good abearing, against the R. his heires and successors, and all his liege people, for the space of seven yerres after, or else shall remaine and continue still in prison, without baile or mainprize, until such time as he or they so offending, shall find sufficient sureties, during the said time and space of seven yerres. And it shall and may be lawfull to the partie grieved, to sue and take his further remedie against all and everie such offender and offenders, for his losse and damages, and to recover the treble value of the same, in that behalfe, as wel before the Just. of Oyer or Terminer, Just. of Assise in their circuits, and Just. of the B. and gaole delivrie in their Sessions, or elsewhere, in any other the R. Courts of Record at West. And upon true satisfaction of the said treble damages to the party grieved, or upon the confession or acknowledgement thereof by the said partie offending, before the Just. in open Sessions holden for the County, wherein the same offence shall be committed, It shall be at the libertie of the said partie grieved, to whom the said offence is committed, to release at his pleasure, the suretiship of the good behaviour, at any time within the said vij. yeares, or before, Any thing in this Act before mentioned to the contrary notwithstanding. 7.Iac.13. If any person or persons from and after the Feast of S. James the Apostle next comming after the end of this Session of Parliament, shall willingly commit any the offences in the said Stat. (of 3.Iac.13.) mentioned, concerning the unlawful chasing out, hunting, or chacing, taking, killing or slaying of any Deere, in any Parke or inclosed ground, which now is, or hereafter shall be made and bled for Deere, against the wil, mind, and pleasure of the owners, occupiers, possessioners, or keepers of the same: When all and everie such person and persons so offending, shall for every such offence pay and satisfie to the partie grieved, the summe of x. l. of currant money of England, or else treble damages and costes, at the election of the partie grieved: The same to be recovered in such manner and forme, as in and by the said Statute is limited and appointed for the recoverie, taking, or assessing of the said treble damages: Any thing in the said Stat. or in this present Act contained, to the contrary notwithstanding. 7.Iac.13. This Law to continue until the end of the first Session of the next Parliament.

The Just. for
hunting Deere
in a Parke or
inclosed ground

10 If any person or persons, not having any Mannors, lands, tenements, or hereditaments,

reditaments, of the cleere yearely value of forty pounds, or not worth in goods or chattels the summe of two hundred pounds, shall use any Gunne, Bow or Crosse, bow, to kill any Deere or Conies, or shall keepe any Buckstall, or Engine, Haies, Gatenets, Purlenets, Ferrets or Conie Dogges, except such person or persons as shall have any ground imparked with pale, or inclosed with pale, or hedge, as aforesaid, used for the keeping, breeding, or cheerishing of any Deere or Conies, the increase of which said Conies shall amount to the cleere yearely value of forty shillings to be letten, at the least, or keepers, or Warreners, in their Parkes, Warrens, or grounds, belonging to their Charge, then any person having lands, tenements, or hereditaments, of the cleere yearely value of an hundred pounds in fee simple, fee taile, or for life, in his owne right, or in the right of his wife, may take from the person or possession of such malefactor or malefactor, and to his owne use for ever keepe such Gunnes, Bowes, Buckstalls, or &c. 3. Jac. 13. S. Hunters &c. 2.

Outooting
with Gun, or
Bow, at deere
or conies

Keeping of
Hayes, Park
nets, Ferrets.

11 Provided alwaies, That this Act do not extend to any Parke, or inclosed ground, hereafter to be made and used for Deere or Conies, without the graunt or licence of the K. his heires or successors, nor shall extend to any offence or offences concerning the hunting, chasing, or killing of Conies, which shall be done or committed in the day time, but onely to such offences as shall be hereafter done or committed in the night time only, Any thing in this act contained to the contrary thereof notwithstanding. 3. Jac. 13. S. Just. of P. 34.

Parkes here
after made.

Onely the
night's offence
punished.

1 How each person may use his woods, grounds, and other things which hee hath within the Forrest. S. Woods 23. 24. 25.

2 Officers of Forests shall not be sworne in Enquests. S. Inuries 4.

3 A man having no Parke, &c. of his owne, shall not keepe any Buckstalls, or Deere hayes. S. Hunting 3.

4 No man shall stalk but in his owne grounds. S. Hunting 4.

5 How long, woods felled in a Parke or ground inclosed for Deere, shall bee preserved from cattell. S. Woods 20.

6 He which hath a Parke and Deere therein, shall be charged to keepe certaine horses therein. S. Horses 1.

7 Where drifts shall bee made of Forests or Chafes, when, and by whom. S. Horses 7.

8 When a Highway in or by a Forest or Parke shall bee enlarged. S. Highways 18.

S. 25. Ed. 3. 7.

Forfeitures.

If any person shall be indicted or appealed, of, or for the death of any such enill disposed person, which attempteth feloniously to rob or murder him, in, or nigh any common highway, cart way, horse way, or foot way, or in his mansion or dwelling house, or for the killing of him which attempteth burglarie to breake his dwelling house in the night, and of the same by verdict shall be so found and tried, he shall lose neither lands, tenements, goods, or cattels, for the death of any such enill disposed person, but shall be fully discharged thereof, as if he were acquit of the death of the said person. 24. H. 8. 5.

So for for
killing of ce
taine robbers
or felons.

2 Everie offender being lawfully convicted of high Treason, by verdict confession, outlawrie, or presentment, shall forfe. to the K. all such lands, tenements, and hereditaments, which he shall have in his owne right, in use or possession, of any estate of inheritance, at the time of such treason committed, or at any time after. 5. Ed. 6. 11. But there shall be no corruption of blood to any heire, nor the wife of the offender.

Forf. by at
tainer of high
treason.

Forfeitures. Forging of deeds &c.

offender shall forfeit her dower, by the attainder of any person for any of the offences made treason by the Stat. provided 5. El. 1. for the assurance of the Dn. power over all estates, or by the Stat. provided 5. El. 1. 1. against the clipping, washing, rounding, or filing of Coin, or by the Stat. provided 18. El. 1. against the impairing of the Dn. Coin, and other Coines current within this Realme.

Forfeiture of dead persons.

3 Forfeitures for treasons of dead persons not attained, nor adjudged in their lives, their heirs, or land tenants, shall not be impeached or chalenged, nor of any other forfeiture, except the forfeit in old time adjudged after the death of the persons, by presentment in Cire, or in the B. Bench, as of felons of themselves and others. An. 34. Ed. 3. 12.

No person shall forfeit any thing for service done to the K. in esse.

4 No manner of person ne persons whatsoever he or they be, that attend upon the King and Honorable Lord of this Land for the time being, in his person, and doe him true and faithfull service of allegiance in the same, or be in other places by his commandement in his warres, within this land or without, that for the same deed and true service of allegiance, he or they be in no wise convicted or attaint of high treason, ne of other offences, for that cause, by act of Parliament, or otherwise, by any proces of Law, whereby he or any of them shall lose or forfeit life, land, tenements, rents, possessions, hereditaments, goods, cattels, or any other things: but so be for that deed and service utterly discharged of any bervation, trouble, or losse. And if any act or acts, or other proces of the law, hereafter thereupon for the same happen to be made, contrarie to this ordinance: That then, the act or acts, or other proces of the law whatsoever they shall be, stand and be utterly void. Provided alway, That no person or persons shall take any benefit or advantage by this act, which shall hereafter decline from his or their said allegiance. 11. H. 7. 1.

1 Where a woman shall forfeit her land for making an unlawful contract of Matrimony. S. Women 10.

2 Where there shall be forfeit. of land for committing or consenting to Rape. S. Rape 3.

3 Who shall have the forfeitures of all Felons goods and lands condemned. S. Prerog. 16.

4 Who shall have the forfeit. of a Bishops tenant attainted during the vacation. S. Prerog. 14.

5 No person arrested and imprisoned shall forfeit. his goods before he be convicted, &c. S. Sherifes. 26.

Forging of deeds and writings.

Forging of any deeds where by another's freehold shall be troubled.

If any person or persons, after the first day of June next, upon his or their own head and imaginations, or by false conspiracie, and fraud with others, shall wittingly, subtilly, and falsly, forge or make, or subtilly cause, or wittingly assent to be forged or made, any false deed, charter, or writing sealed, Court roll, or the Will of any person or persons, in writing, to the intent that the estate or the freehold or inheritance of any person or persons, of, in, or to any lands, tenements, or hereditaments, freehold, or copyhold, or the right, title, or interest, of any person or persons, of, in, or to the same, or any of them, shall or may be molested, troubled, defeated, recovered, or charged, or shall pronounce, publish, or shew forth in evidence, any such false and forged deed, charter, writing, Court roll, or Will, as true, knowing the same to be false and forged, to the intent aforesaid, & shall be thereof convicted, either upon action or actions of Forger of false deeds, founded upon this Stat. at the suit of the party grieved, or otherwise according to the course of the Law, or upon bill or information exhibited in the Starre Chamber, he shall pay to the party grieved his double costs and damages, to be found or assessed in the Court where such conviction

on shalbe, and also shal be set vpon the Pillorie in some open market towne or open place, and there haue both their Eares cut off, and his Postriks slit, cut, and seared with a hot yron, so as they may remaine for a perpetuall marke of his falschod, and shal forf. to the D. the whole issues and profits of his lands, during his life, & shal suffer perpetuall imprisonment during his life. The said damages & costs to be recovered at the suit of the partie griened, to be first paid and leuied of the goods and chattels of the offendor, and of the issues & profits of his lands &c. or of one or both of them, the title of the D. &c. notwithstanding. 5. Eliz. 14.

2 If any person or persons, after the said first day of June, vpon his or their owne imagination, or by false conspiracie or fraud with any other, shal wittingly, subtilly, and falsely, forge or make, or wittingly, subtilly, & falsly, cause or assent to be made & forged, any false charter, deed, or writing, to the intent that any person or persons shal or may haue or claime any estate or interest for terme of yeres, of, in, or to any manors, lands, tenements, or hereditaments, not being copyhold, or any annuities in fee simple, fee taile, for terme of life, lines, or yeres, or shal as is aforesaid, forge, make, or cause, or assent to be made or forged, any obligation, or bill obligatorie, or any acquittance, release, or other discharge of any debt, account, action, suit, demand, or other thing personall: Or shal pronounce, publish, or giue in evidence any such false or forged charter, deed, writing, obligation, bill obligatorie, acquittance, release, or discharge, as true, knowing the same to be false & forged, & shal be therof conuict by any of the waies or meanes aforesaid: Then he shal pay to the partie griened his double costs & damages, to be found & assessed in such court where the said conuiction shal be had, & also shal be set vpon the pillory in some open market towne, or other open place, & there haue one of his eares cut off, & also shal suffer imprisonment by the space of 1 whole yere without baile or mainprise. 5. El. 14.

3 The partie and parties griened by reason of any the offences aforesaid, shal and may at his or their pleasure, haue, and sue his Action of Forger of false deeds, vpon this statute against any the offendors in the same by original writ out of the Chancerie, and shal haue like proces vpon the same, as in cases of trespass at the Common Law, or may at his pleasure take his suit against any such offendors in any the premises, by bill in the B. Bench, or in the Exchequer, wherein no C. J. D. &c. But if the Defendant shal be conuicted for any the offences aforesaid, according to the order and forme aboue limited, and shal haue receiued punishment corporall according to this Act, then he shal not eschewes be impeached for the same offences. But though the plaintife in any such action or bill to be sued, shal after verdict passed against the defendant, release or discharge the iudgement or execution vpon the same, or otherwise suffer the same to be discontinued, yet neuertheless the same release, discharge, or discontinuance, shal extend only to discharge such costs & damages as the same plaintife should haue had against the defendant, & the Judges before who the said Action or suit shal be taken, shal & may proceed to iudgement of and vpon the residue of the said penalties & forfeitures, and command execution vpon the same, the said discontinuance of other discharge notwithstanding. 5. El. 14.

4 If any person or persons being conuicted or condemned of any of the offences aforesaid, by any the waies or meanes aboue limited, shal after any such his or their conuiction eschewes commit any the said offences in forme aforesaid, and shal be thereof conuicted or attainted, then euery such second offence shal be adjudged felonie, without benefit of Clergie or Sanctuary: But there shal be no corruption of blood, disheritance of the heire, or forf. of dower by this felonie. Saving to euery person (other than the said offendors, and such as claime to their uses) all such rights, title, and other profits which any of them shal haue, at the time of such conuiction or attainder, or before, in or to any the Lands, &c. of any such person conuicted. And all and euery Justices of Oyer and determiner, and Justices of assise

Forging a deed whereby a lease or annuity may be claimed.

Forging an obligation, acquittance, release, or other discharge of any debt, account, action, suit, demand, or other thing personall: Or shal pronounce, publish, or giue in evidence a forged deed.

Seuerall remedies for the partie griened

No person twice impeached of one offence.

The pleas shall only discharge his remedy.

The punishment for the second offence:

Others rights saved.

Forging of deeds and writings.

in their Circuits, and euerie of them, shall haue authoritie in their open and generall Sessions, to enquire of, heare, and determine all and euerie the offences aforesaid, committed or done within the limits of their Commission, and to make p[ro]ces for the execution of the same, as they may doe against any person being indicted before them of trespass, or lawfully convicted thereof. 5. Eliz. 14.

Forging of
deeds before
the Statute

5 If any person or persons whatsoever hath or his or their own head, or by false conspiracie & fraud with any other, wittingly, subtilly, and falsly forged, or made, or shall before the j. day of June next coming, forge & make any false deed, charter, or writing sealed, or the will of any person in writing, or any court roll, to the intent that the estate of freehold, or inheritance, or the right, title, or interest of inheritance or freehold of any persons of, in, or to any manors, lands, tenements, or hereditaments, being freehold or copyhold. Or that by any such forged deed, charter, court roll, or writing, before the said j. day of June, shall or may be molested, troubled, or defeated of any the said estates of any lands, tenements, or hereditaments, being freehold or copyhold: Or if any person or persons have heretofore published or shewed forth in evidence, or before the said j. day of June, shall publish or shew in evidence for the p[ro]ofe of any title, any false & forged deed, charter, writing, will, or court roll, as true, knowing the same to be false & forged, as is aforesaid, to the intent aboue remembred, & shall be therof attainted or convicted, according to the order of y^e Law, either in an action of Forger of false saits, or in an Action upon the case, at the suit of the party grieved, his heires, executors or assignes, Then the partie so convicted shall yeeld & pay damages & costs of the suit to the plaintife, as shall be assessed according to the law of the Realm, in any such like action or suit, & shall suffer imprisonment, & shall pay fine & ranfome at the pleasure of the Qu. her heires or successors. And if any person or persons shall after the j. day of June next coming, plead, publish, or shew forth in evidence, or otherwise for the p[ro]ofe of any title, any false and forged deed, charter, writing, will, or court roll, heretofore falsly made and forged, or to be falsly made & forged before the said j. day of June, as true, knowing the same to be false & forged, to the intent to haue or claime thereby any estate of inheritance, freehold, or lease of yerres, in or to any manors, lands, tenements, or hereditaments, or any annuities, rent or p[ro]fit forth of any manors, lands, &c. or to the intent to alter, defeat, molest, trouble, charge, or recover the estate of inheritance, freehold, or lease of yerres of any person, in any manors, lands, tenements, rents, or hereditaments: Then euery person or persons that so shall offend, & shall be thereof convicted, in forme first aboue remembred, shall pay vnto the party grieved double costs & damages, & shall haue imprisonment, losse of eares, sitting & scaring of p[ro]p[er]ty, & forf. of lands in the same maner & forme as aboue is limited, for any person that shall offend by forging or publishing of any false deed or writing, as is aforesaid, after the aforesaid j. day of June. 5. El. 14.

Pleading a
forged deed
made before
the Statute.

These persons
are not charge-
able by this
Statute.

6 But this act shall not charge any Ordinarie, or any of their Commissaries, Officials, Registers, or any other their Officers with any of the offences aforesaid for putting their seale of Office to any Will exhibited vnto them, not knowing the same to be false or forged, or for writing of the said Will, or p[ro]bat of the same: Neither shall it be hurtfull to any P[ro]curor, Aduocat, or Register, of any Ecclesiasticall Court within this realme, for the writing, setting forth, or pleading of and P[ro]p[er] made according to the Ecclesiasticall Lawes or customes heretofore vsed & allowed by the Ecclesiasticall Courts of this Realme, for the apparence of any person, cited to appeare in any of the said Courts: Nor to any Archdeacon, or Officiall, for putting their Antientique seale to the said P[ro]p[er], neither yet to any Judge Ecclesiasticall, for admitting the same. Neither shall this act extend to any Attorney, Lawier, or Counsellor, that shall for his Client plead, shew forth, or giue in evidence any false and forged deed, charter, will, court roll, or other writing for true, or good, being

being not partie and priuie to the forging of the same for the pleading, the being forth, or giving in evidence of the same. Neither shall this act extend to any person that shall plead or shew forth any deed or writing, exemplified vnder the great seale or the seale of any other Antientique Court of this Realme: Nor shall extend to any Judge or Justice, or other person that shall cause any seale of any Court to be set to any such deed, charter, or writing inrolled, not knowing the same to be false or forged: Any thing in this act to notwithstanding. 5. Eliz. 14.

1 A seruant taken with a forged testimoniall, shall be whipped as a Vagabond. S. Labourers 8.

2 For getting other mens goods by a counterfeit or forged token, or letters. S. Counterf. 1.

Forestallers, Ingrossers, Regrators.

Whofoeuer doth buy or cause to be bought any merchadize, victuall, or other thing comming by land or water, towards any Faire or market, to be sold in the same, or comming toward any citie, port, haue, creeke, or rode of this realm, or Wales, from any part beyond the sea, to be sold, or make any bargain, contract, or promise, for the hauing, or buying of the same, or any part thereof so comming as is aforesaid, befoze the said merchandize, victuals, or other thing shall be in the market, faire, citie, port, haue, creeke, or rode, readie to be sold, or shall make any motion by word, letter, message, or otherwise, to any person or persons for the enhancing of the price, or deerer selling of any of the things aboue mentioned, or else disswade, moue, or stir, any person comming to the market or faire, to forbear to bring any of the things aboue mentioned, to any faire, market, Citie, &c. to be sold as is aforesaid, shall be adiudged a Forestaller. 5. Ed. 6. 14. An. 34. E. 1. It was enacted, that no Forestaller should be suffered to dwell in any towne, for he is a manifest oppzessor of the poore, a publike enemy of the Countrey, and whole Commonwealt.

who is a Forestaller.

2 Whofoeuer shall regrate or get into his possession, in any Faire or Market, any Cozne, Wine, Fish, Butter, Cheese, Candles, Tallow, Sheepe, Lambes, Calues, Swine, Pigs, Geese, Capons, Hens, Chickins, Pigeons, conies, or other dead victuals whatfoeuer, that shall be brought to any Faire or market within this Realme, or Wales, to be sold, and doth sell the same againe in any Faire or Market, holden in the same place, or in any other Faire or Market within foure miles thereof, shall be reputed a Regrator. 5. E. 6. 14.

who is a Regrator.

3 Whofoeuer doth ingrosse, or get into his hands by buying, contracting, or promise taking (other then by demise, grant, or lease of land or tithe) any cozne growing in the fields, or any other Cozne, Butter, Cheese, Fish, or other dead victuall, within England, to the intent to sell the same againe, shall be taken an unlawful Ingrosser. 5. Ed. 6. 14.

who is an Ingrosser.

4 Whofoeuer offendeth in any of the things befoze rehearsed, and being thereof duely conuicted, or attainted by the Lawes of this Realme, or after the forme hereafter mentioned, within ij. yerres next after such offence committed, shall for his first offence, suffer imprisonment by the space of ij. moneths, without baile or mainprize, and forfeit the value of the goods, cattel and victuall so by him bought or had: And being thereof once lawfully conuicted or attainted, shall for his second offence, being thereof oftsoones lawfully conuicted &c. suffer imprisonment by the space of one halfe peare, without baile or mainprize, and shall loose the double value of the goods &c. so bought or had, as is aforesaid: And being twice conuicted of any of the said offences, shall oftsoones offend the third time, and be thereof lawfully conuicted or attainted, he for his third offence shall be set on the pillorie in the Citie, towne or place where he shall dwell, and shall forfeit all his goods and cattel which he hath to his owne vse, and shall be committed to prison, and there remaine during the li.

Punishment of the offenders

It y

plea

Foretallers, Ingrossers, Regrators.

pleasure. But he that is once punished for any offence, shall not be effrones from-
bled or punished for the same. 5. Ed. 6. 14. Who shall haue the for. and how it shall be
lenied. S. Iust. of Peace 31.

Victuals
brought from
beyond the sea.

These persons
for these cau-
ses may re-
grate or in-
grosse.

5 But this Statute shall not extend to any Wines, Oyles, Sugars, Spices,
Currants, or other forrein Victuals brought from beyond the sea (fish and salt one-
ly excepted.) 13. Eliz. 25.

6 It shall not be adiudged any offence contrarie to this Statute, to take any
cattel, cozne, butter, cheese, or any of the aboue rehearsed things reserued vpon any
lease, for life, liues, or yeares, or to buy any barley, big, or otes, the buyer whereof
shall conuert the same in his house to mault or ofemeale, or for any Fishmonger,
Butcher, or Poultier, for to buy any thing concerning their owne facultie, which
shall sell the same againe, vpon reasonable prices by retaile, or for any Inholder
or Victualer, for the buying of wine, or other dead victuall met for mans sustenance,
to sell the same againe by retaile, within his house, or to any of his Neighbour, for
their sustenance for reasonable prices, or for the buying of any Herring, dried or
salted fish or spats, and sold for reasonable prices, or for any of the Kings subjects
dwelling within one mile of the maine Sea, to buy any fish fresh, or salted, and to
sell the same againe at reasonable prices, or for the buying of any corn, fish, butter,
or cheese, by any Badger, Lader, Kidder, or carrier, allowed by thre Justices of P.
of that Countrey where &c. which shall sell the same againe in any faire or market,
or to any Victualer, or to any other person for the prouision of his house, within
one moneth after he bought them, or for any common prouision made by any per-
son of any of the aforesaid things for any Cittle, Borough, or Towne Corporation, or
for the victualing of any ship, cattle, or fort, or for to buy and prouide victuals ne-
cessary for the furniture and prouision of the inhabitants of the town of Warwick,
Holley Island, or of the Marches of England against Scotland, which shall be
transported and conueied to such of the places aforesaid, as sone as wind and wea-
ther will serue, or for a common and knowne Drouer being licenced by thre J. of
P. of the Countie where he dwelleth, wherof one to be of the Quorum, to buy cattel
in such Counties where Drouers haue bin wont to buy & sell the same againe, at
some markets or faires, being distant at the least xl. miles from the place where he
bought them, or for any person being licenced by thre Just. of Peace &c. to buy
cozne, graine, or cattell, to be caried by water from one port or place within Eng-
land or Wales, vnto another, if he do ship or imbarke the same within fortie daies
after he hath bought or couenanted for the same, and with expedition as weather
shall serue to transport the same, and doe bring a Certificate from a Just. of P. of the
Countie, or Maior, or Bailiffe of the towne Corporation, & the Customer where such
vnloading shall be, testifying the same vnto the Customer & Comptroller of the port
where the same were imbarked, or for every person to buy, ingrosse, & keepe in his
house cozne, when wheat shall be commonly at the price of vi. s. viij. d. the quarter,
or vnder, mault and barley at iij. s. iiij. d. Otes, or Otes maulted at y. s. Pease or
Beanes, at iij. s. and Rye or Welshline at v. s. the quarter of London measure, or vnder,
so that none of all the aforesaid cozne, cattel, butter, cheese, or other commodities
be bought, couenanted &c. by foretalling. 5. Ed. 6. 14. 13. Eliz. 25.

7 This Statute of 5. Ed. 6. or any other stat. made against Foretallers, Regra-
tors, and Ingrossers, shall not extend to any oyle, wine, sea fish vn salted, mud, fish,
and salt, as any buyer or buyers vpon the sea, by way of foretalling, or regrating,
shall and doe bring in any English subjects ships, crayers, or other vessels, and dis-
charge in any Port or Hauen within this Realme. 5. El. 5. 1. Jac. 25. To continue
till the end of the next Parliament.

1 For regrating of Butter and Cheese. S. Butter 1.

2 No Butcher shall regrate any fat Cattell. S. Butchers 1.

3 Who

- 3 Who may buy cattell and sell them againe, and within what time. S. Cattell 1.
- 4 He which buyeth corne for the change of his seed shall bring in as much to the market. S. Corne 10.
- 5 Who may engrosse tanned Leather and sell the same againe, and who not. S. Leather 36.

Franchises and Liberties.

Everie Statute being in force made before 4. Februarij Anno 27. H. 8. against Sherifes, Under Sherifs, Bailifes, or other ministers for making or returning of panels of Juries, or for due execution and serving of any writ or proces, or for taking of fees, reformation of extortion, or for any other thing concerning their offices, and all paines and penalties contained in every such statute, shall be extended to all Stewards, Baylifes, and other Ministers and Officers of Liberties & franchises, having returnes of writs, and execution thereof, in like manner as they extend to Sherifes, Under Sherifes, &c. as if the said Baylifes, Stewards, &c. had been particularly named in such statutes, saving that the said Stewards, Bailifes of Franchises, their deputies or clerkes may occupie their offices above one pere. viz. for so long time as they be given to them. 27. H. 8. 24.

Stat. made for Sherifes shall extend to bailifes of Liberties.

2 The R. Patently his Steward, Marshal, Corner, and all his Ministers, shall and may keepe their Courts for Justice, and execute their offices as shall appertain to them according to the Lawes, customes and Statutes of this Realme, in all places within this Realme, as well within Liberties and Franchises as without, within the Mierge accustomed to his Court, where his Highnesse in his owne person shall come to rest or abide. And the R. Clerke of the market, and none other during the same time, as well within Liberties as without, shall exercise the office of Clerke of the market, notwithstanding any privilege, graunt, &c. But this Stat. shall not be prejudiciall to the Liberties of the Citie of London. 27. H. 8. 24.

where the R. cometh his Court shall be kept within Franchises.

Clerke of the Market.

3 The amerciaments for insufficient returnes of Writs or other proces made by Stewards or Bailifes of Liberties, having returne of Writs and execution of the same, shall be set upon the heads of such Stewards or Bailifs, not upon the Sherifes. 27. H. 8. 24.

Amerciament for insufficient returnes by Bailifes of Liberties.

- 1 The K. Purveior may take any victuals within Franchise. S. Purveyors 23.
- 2 No person hath Franchise or authority to pardon felons, or appoint Justices, but the King onely. S. Prerog. 17.
- 3 The K. shall have the fines and amerciaments forfeited by Bailifes and Stewards of Franchises. S. Prerog. 20.
- 4 Lords of Liberties shall appoint expert men to search or scale Leather. S. Leather 26.
- 5 The K. may seise a Franchise for default of pursuit or arresting of Felons. See Felonie 38.
- 6 The Lord of a Franchise where goods be shewed in a Faire or Market, upon daies prohibited, shall have the same goods. S. Faires 2.
- 7 In whose name all writs, Indictments, and Proces, made within any Liberty, and in whose name the Teste of the same shall be awarded. S. Prerogative 18.
- 8 For the executing and returning of Writs in Franchises. S. Returnes 3. 6. 7. 8.
- 9 What persons, & of what sufficiencie shall be returned by Baylifes of Franchises to enquire of Riots. S. Riots 13.
- 10 In what time Baylifes of Franchises shall array Assises, and deliver the Copies. S. Assise 8.
- 11 The Shirefe may not enter into any Franchise to execute their precepts which

Fraudulent Deeds, Gifts, &c.

be Commissioners to enquire of the decay of Tillage. S. Sherifes 24.

12 Where the Sherife shall make his precept to a Bailife of a Franchise, & where he himfelfe shall deliuer cattell impounded. S. Sherifes 30.

Fraudulent Deeds, Gifts, &c.

Fraudulent
deeds to auoid
other mens
dueties.

All and euerie Feoffement, gift, graunt, bargaine, alienation, and conueyance of lands, tenements, hereditaments, goods & cattels, or any of them, or of any lease, rent, common, or other profit or charge out of the same lands, hereditaments, goods, &c. or any of them, by writing or otherwise, And all and euerie bond, suite, iudgement, and execution at any time had or made, sithence the beginning of our Quene Elizabeths reigne, or at any time hereafter to be had or made, which haue bene, and are deuised, and contriued of malice, fraud, couine, collusion, or guile, to the intent &c. to delay, hinder, or defraud creditors, and others of their iust & lawfull actions, suits, debts, accompts, damages, penalties, forfeitures, harlots, mortgages, or relifes, shalbe taken and deemed only as against that person, his heires, executors, successors, or assignes, whose actions, suits, debts, accompts, &c. by such guilefull, couenous, or fraudulent deeds, deuices, practises, as is aforesaid, are, shal, or might be in any wise disturbed, hindered, delayed, or defrauded, to be clearly void, and of none effect, any colour, fained consideration, expresting of use, or any other matter to the contrarie notwithstanding. But this Statute shall not extend to to any estate or interest in lands, leases, goods, &c. lawfully assured vpon good consideration, and Bona fide, to any person or persons, bodies politike, or corporat, not hauing at the time of such conueiance &c. any knowledge of such fraud, collusion, as is aforesaid &c. 1. R. 2. 3. H. 7. 4. 13. Eliz. 5.

Duties to
fraudulent
deeds.

2 All and euerie the parties to such fained or fraudulent feoffement, gift, grant, alienation, bargaine, conueiance, bond, suit, iudgement, execution, &c. or being partie and knowing of the same, or any of them, which shall wittingly and willingly put in vze, anow, maintaine, iustifie, or defend the same, or any of them, as true, simple, and done or made bona fide, and vpon good consideration, or shal alien or assigne any the lands, tenements, goods, leases, &c. to the conueied, or any part thereof, shal forfeit to the Qu. &c. and the partie grieved by such fraudulent feoffement, gift, bond, suit, &c. one yeares value of the said Lands, &c. leases, rents, or other profits, and the whole value of the said goods and cattels, and so much money as shal be contained in such couenous & fained bond, to be recovered by A. J. B. P. &c. where in no W. &c. C. P. &c. And being thereof lawfully convicted, shall suffer Imprisonment one halfe yeare, without baile or mainprize. 13. Eliz. 5.

Common recoveries.

3 But common recoveries had against tenant in taile, or other Tenant of the freehold of Lands, the Reuerfion or remainder, or right of reuerfion or remainder whereof then shall be in any other person, shall as touching such person, and his heires which hath the reuerfion or remainder thereof, be of like force, and none other, as the same should haue ben if this Act had neuer bene made: And no estate or conueiance, by reason whereof any person shall be any vouchor in any writ of Formedon, shall be made void by this Act: But euery such Vouchor in any writ of Formedon, shall be of like force, as if this act had not been made. 13. Elizabeth 5. 29. Eliz. 5.

Vouchor in
Formedon.

Fraudulent
conueiances
to defraud
purchasers.

4 All and euerie conueiance, grant, charge, lease, estate, incombzance, and limitation of use or uses, of, in, or out of any Lands, Tenements, or other hereditaments whatsoever, had or made at any time heretofore, sithence the beginning of the Qu. Maiesties reigne that now is, or at any time hereafter to be had or made, for the intent and of purpose to defraud and deceiue such person and persons, bodies politike or corporat, as haue purchased, or shall afterwards purchase in fee simple

simple, &c. tale, for life, liues, or yeares, the same lands, tenements, and hereditaments, or any part or parcell thereof, so formerly conueyed, graunted, leased, charged, incumbered, or limited in vse, or to defraud and deceiue such as haue or shall purchase any rent, profite, or commoditie in, or out of the same, or any part thereof, shal be deemed and taken only as against that person and persons, bodies politique and corporat, his and their heires, successors, executors, administrators, and assigns, and against all and euery other person and persons, lawfully hauing or clayming, by, from, or vnder them, or any of them, which haue purchased or shall hereafter so purchase for money, or other good consideration, the same lands, tenements or hereditaments, or any part or parcell thereof, or any rent, profit or commoditie in or out of the same, to be utterly void, frustrate and of none effect: Any pretence, colour, fained consideration, or exprelling of any vse or vses to the contrary notwithstanding. 27. Eliz. 4.

5 All and euerie the parties to such fained, couenous and fraudulent gifts, graunts, leases, charges or conueyances before exprested, or being priuie and knowing the same, or any of them, which shall wittingly put in vse, and so, maintaine, iustifie or defend the same or any of them, as true, simple and done, had or made bona fide, or vpon good consideration, to the disturbance or hinderance of the said purchaser or purchasers, leases or graunters, or of, or to the disturbance or hinderance of their heires, successors, executors, administrators or assigns, or such as haue or lawfully claime any thing by, from or vnder them, or any of them shall incurre the penaltie and forfeiture of one yeares value of the said lands, tenements and hereditaments so purchased or charged: The one moitie whereof to be to the Qu. or her heires and successors, and the other moitie to the partie or parties grieved by such fained and fraudulent gift, graunt, lease, conueyance, incumbrance or limitation of vse, to be recovered in any of the Qu. Courts of Record by A. of Debt, B. P. or J. wherein no C. P. or W. &c. And also being thereof lawfully convicted, shall suffer imprisonment for one halfe yeate, without baile or Paineprise. 27. Elizab. 4.

Parties in fraudulent conueyances, which doe auoid the same.

9 This act or any thing therein contained, shall not extend or be construed to impeach, defeat, make void or frustrate any conueyance, assignment of lease, assurance, graunt, charge, lease, estate, interest or limitation of vse or vses, of, in, to or out of any lands, tenements or hereditaments heretofore at any time had or made, or hereafter to be had or made, vpon or for good consideration and bona fide, to any person or persons, bodies politique or corporat: any thing before mentioned to the contrarie hereof notwithstanding. 27. Eliz. 4.

Conueyances made vpon good considerations and bona fide.

7 If any person or persons haue heretofore sithence the beginning of the Qu. Maiesties raigne that now is, made, or hereafter shall make any conueyance, gift, graunt, demise, charge, limitation of vse or vses, or assurance of, in or out of any lands, tenements or hereditaments, with any clause, provision, article or condition of reuocation, determination or alteration, at his or their will or pleasure, of such conueyance, assurance, graunts, limitations of vses, or estates, or, in, or out of the said lands, tenements or hereditaments, or of, in, or out of any part or parcell of them, contained or mentioned in any writing, deed or Indenture of such assurance, conueyance, graunt or gift, and after such conueyance, graunt, gift, demise, charge, limitation of vses or assurance so made or had, shall or doe bargain, sell, demise, graunt, conuey or charge the same lands, tenements or hereditaments, or any parcell thereof, to any person or persons, bodies politique or corporat, for money or other good consideration payed or giuen, the said first conueyance, assurance, gift, graunt, demise, charge or limitation, not by him or them reuoked, made void or altered, according to the power and authoritie referred or exprest vnto him or them, in and by the said secret conueyance, assurance, gift or grant: Then

Conueyances with condition of reuocation, or alteration.

Fraudulent Deeds, Gifts, &c. Freehold. Fuell.

When the said former conveyance, assurance, gift, demise & graunt, as touching the said lands, tenements and hereditaments, so after bargained, sold, conveyed, demise or charged, against the said bargainee, vendee, lessee, grauntee, and every of them, their heires, successours, executors, administrators and assigns, and against all and every person and persons which have, shall or may lawfully claime any thing, by, from or under them, or any of them, shall bee deemed, taken and adjudged to be void, frustrat, and of none effect by vertue and force of this present act. 27. El. 4.

Mortgages.

8 Provided neuertheless, that no lawfull mortgage, made or to be made Bona fide, and without fraud or couin upon good consideration, shall be impeached or impaired by force of this act, but shall stand in the like force & effect as the same should haue done, if this act had neuer been had or made: any thing in this act to the contrary, in any wise notwithstanding. 27. Eliz. 4.

Assurances of lands defeated, and the partie in possession before the Stat.

9 This Act, nor any thing therein contained, shall extend to bee construed to make good any purchase, grant, lease, charge, or profit of, in, or out of any lands, tenements, or hereditaments, heretofore made void, defeated or vndone, by reason of any former conveyance, graunt, or assurance, so as the partie or parties, or their heires or assigns, which haue so defeated or made void the same, were in actuall possession the first day of this present parliament, of, or in the said lands, tenements or hereditaments, whereof, or out of which any such purchase, grant, lease, charge, or profit was made. 27. Eliz. 4.

Authority of the Starre chamber.

10 This Act, or any thing therein contained, shall not extend in any sort to restrain or impair the iurisdiction, power or authority of the Court of Starre chamber, 27. El. 4. 39. El. 18.

1 For fraudulent deeds made by an Ecclesiasticall person, to defeat his successors of their remedie for Dilapidations. S. Dilap. 1.

2 For fraudulent conveyances to defeat the Lord of his ward, mariage, or reliefe. S. Wards 1. 2. 24.

3 For fraudulent conveyances made of an Abbey, Chauntry, colledge or free chapel Lands. S. Monasteries 4. 9. 25.

4 For Collateral and fraudulent assurances made of lands to the vse of any church, chappell, &c. S. Mortmaine 8.

5 For fraudulent conveyances to defeat the Qu. or any other of any benefitt that may arise vnto them by the Stat. of 23. El. 1. S. Recusants 5.

6 Statutes merchant, and of the Staple, shall be entred of Record to detect fraud in them, if any be intended. S. Statutes 15. 16.

Freehold.

VWhoever doth constrain any person to appeare before the Councell of a Lord, Lady, or any other, to answer for his freehold, or any thing touching his freehold, or for any other thing reall or personall, which belongeth to the law of the Realme in any maner, shall forfeit to the King xx. l. 15. R. 2. 12. 16. R. 2. 2. No man shall distraine his Freeholder, to answer for his freehold or any thing thereunto belonging without the Kings writ, nor shall cause his Freeholder to sweare against his will: for that no man can do without the Kings commandement. Marlb. 52. H. 3. 22. None shall be distrained to do moze service for a Knights fee, or his freehold, then is due. Mag. Char. 9. H. 3. 10.

Fuell.

The Title of Fuell.

All Tallow, Billet, Fagot, and Coles to be made and put to sale within the Cities of London or Westminster, or in the suburbs of the same, shall keepe the Measures following, viz. every sacke of coles shall containe foure bushels of good and cleane

cleane Coles. And every Talshide shal contain in length foure foot beside the carse. And every Talshide named of one, to containe in greatnesse within a foot of the middell xvj. ynches about. And every Talshid named of two, to contain in greatnesse within a foot of the middell twentie three ynches about. And every Talshid named of thzee to containe in greatnesse within a foot of the middell twentie eight ynches about. And every Talshid named of foure, to containe in greatnesse within a foot of the middell thirtie three ynches about. And every Talshid named of five, to containe in greatnesse within a foot of the middell thirtie eight ynches about. And every Billet to containe in length thzee foot and foure ynches. And everie Billet named a single to containe seaven ynches di. about. And every Billet named to be a cast, to containe tenne ynches about. And every Billet named of two cast, to containe fourteene ynches about. And every Fagot bend to containe in length thzee foot, and the band of every such Fagot, to be of twenty foure ynches about, besides the knot. And it shall be lawfull for every owner, without danger of any forfeiture, to make Billets of two casts. And all Billets of two casts to be made and put to sale, shall be of the assise herein contained or moze, and shall be marked onely with, in five ynches of the middell thereof. And every Billet of one cast to be made and put to sale, shall be only marked within foure ynches of the end thereof. 7. Ed. 6. 7. And the assise for the said Talwood, Billet and Fagots shall continue in force not onely for London and Westminster, but also in all other cities, boroughs, & townes corporate of this Realme, where such Talwood, Billet and Fagots are accustomed to be sold. 43. Eliz. 14.

2 If any person or persons shall bring any Talwood, Billet or Faggots, to any citie, borough or towne corporate of this Realme, there to be sold, or being brought shall put the same to sale, neither being of the assise mentioned in the said Stat. of 7. Ed. 6. or agreeing with the measures hereafter in this act limited: Then upon information thereof given to the Mayor, Bayliffe or other head Officer of the said citie, borough or towne corporate, they shall have authoritie to call before them five good and lawfull men of the said citie, borough or towne corporate, and shall sweare them upon their corporate Othes, truely to enquire and present, whether all or any part of the said Talwood, Billet or Fagot, be of good and sufficient assise, according to the said Stat. and the limitation of assise herein contained, or not. And if they shall present upon their oathes, that any the said Talwood, Billets or Fagots, be not of such good and sufficient assise, as abovesaid: then the said Mayor, Bayliffes and other head Officers of the said cities, boroughs, and townes corporate by force of this act, upon their presentment, shall and may take such of the same Talwood, Billet, and Fagots as be false sized, as forfeited, and shall deliver the same unto some Overseers for the poore, in the said cities, boroughs, and townes corporate, to be by them given and distributed to the poore there, according to their discretions, from time to time, so often as such offences shall be presented in manner and forme aforesaid, 43. Eliz. 14.

The penaltie for selling of fuell not of lawfull assise.

3 Every Talshide marked of one, being round bodied, shall containe xvj. ynches of assise in compasse, being of halfe round xix. ynches of assise about, being quarter cleft, xvij. ynches and a halfe of assise about: and every Talshide marked two, being round bodied, shall containe in compasse xxij. ynches of assise about, being halfe round xxvj. ynches of assise about, being of quarter cleft xxvj. ynches of assise about: and every Talshide marked three, shall containe in compasse about (being round) twentie eight ynches of assise, being halfe round to containe in compasse xxxij. ynches of assise, being of quarter cleft xxxij. ynches of assise about. And every Talshide marked foure, to containe in compasse (being round) xxxij. ynches of assise, being halfe round xxxix. ynches of assise about, being of quarter cleft xxxix. ynches of assise about. And every Talshide marked five, shall containe in compasse being

The compasse of Talshides.

Fuell.

Fustians.

being round xxxviij. ynches of assise about, being halfe round xliiij. ynches of assise about, and being quarter cleft xliij. ynches of assise about, all which to be measured about with in five ynches of the middest thereof, and to containe the length limited by the said Statute. And in all other formes or manner of cleaving of Wood to be hereafter marked, and sold for Wall wood, which will not admit the former formes or manner of cleaving, nor any of these, to obserue the Letter of the said Statute of 7. Ed. 6. And in every one of those formes, the surplusage of compasse that shall happen betwene any two next measures, being aboue the one, and vnder the other in euerie kind, shall be allowed and taken to be, for, and to the benefit of the buyer, and not otherwise to be computable. 43. Eliz. 14.

The compasse
of Billets.

4 Every Billet, named a Single, shall containe in compasse, being round bo-
died, viij. ynches and a halfe of assise: and no Singles shall be made or marked out
of cleft Wood: and euerie Billet marked one, commonly called a Cast, to containe
in compasse about xj. ynches of assise being round, and being halfe round to containe
in compasse xij. ynches of assise about, and being quarter cleft to containe in com-
passe about xij. ynches and a halfe: and euery Billet marked two, commonly called
two Cast, to containe in compasse about, being round xvi. ynches of assise, and being
halfe round, to containe in compasse about xix. ynches of assise, and being of quarter
cleft, to containe in compasse about xviij. ynches and a halfe of assise. And in all o-
ther formes, or manner of cleaving of Billet, to be hereafter marked and sold for Bil-
lets, which wil not admit the former formes or manner of cleaving, nor any of them,
and touching the length of all the said Billet to obserue the letter of the said Stat. of
Ann. 7. Ed. 6. 7. 43. Eliz. 14.

The compasse
of Fagots.

5 All Fagots hereafter to be made and put to sale, shall containe in compasse,
beside the knot of the band, foure and twentie ynches of assise, and euery tagot sticke
or bend within the said band to containe in length all three foot of assise or moze,
excepting only one stick or bend, to be of one foot long, to stop or harden the binding
thereof. 43. Eliz. 14.

None shall buy
Fuell, but such
as will burne
or recalle the
same.

6 No person or persons shall buy Fuell, Coales or Wood, but onely such as
will burne or consume the same, or such persons as shall sell the same againe by
retail, to such as shall burne or consume the same for their owne occupying, with-
out fraud or couin, or Wharfingers, or Barge-men, vpon paine to forfeit to the R.
and T. treble the value of all such Wood, Coales and Fuell, as shall be otherwise
bought for any lucre or gaine, to be recovered by A. B. P. J. wherein no W. C. P.
etc. And no person or persons shall alter any marke or assise of any of the said Fuell,
marked or sised according to this statute, vpon paine of like forfeiture, as is aboue
said. 7. Ed. 6. 7.

Altering the
marke or as-
sise of fuell.

1 What Woods shall not be conuerted to Fuell for the making of Iron. S. Iron.

Fustians.

Wtrue
fleights used
vpon fustians

Whosoeuer doth vse Irons on Fustians vnto hohne, wherewith to bzeake off
the nappe and cotton of the same, or any instruments, or other vnttrue sub-
till meane or sleight vpon any Fustian within this Realme, but onely the broad
sheares, shall forfeit for every default xx. s. to the King and A. to be recovered by A.
J. etc. wherein no W. C. P. etc. The Mayor and Wardens of Shearmen in Lon-
don, may enter and search the workmanship of all persons occupying the broad
sheare, as well Fustians as Cloth. And the execution of this Act to be as well of
denizens, as of foreigners and strangers. 11. H. 7. 27.

Searching
fustian ma-
kers.

2 It shall and may be lawfull to and for the Lord Mayor of the citie of Lon-
don, or his sufficient Deputie, and to and for the Mayor and Wardens of the my-
sterie

Merie of Clothworkers of London, or such discret persons, as the said Master and Wardens of the said myserie of Clothworkers for the time being, shall from time to time appoint, to reenter and make search, as the said Mayor of London & Wardens of Shearmen might have done together by the said Act in Anno 11. H. 7. upon paine that the person or persons which shall make resistance herein, shall forfeit for every such resistance xx. s. to the R. and J. to be recovered by A. B. P. J. in any of the R. courts of Record, where the same may be determined after the course of the common Law, wherein no W. C. P. &c. 39. Eliz. 13.

1 For the Fustians of Naples. S. 1. & 2. Ph. & Mar. 14.

Gold, Silver, and Goldsmiths.

If any Finour of Gold and Silver, or part of the same by fire, or water, doth alay any fine Silver or Gold, or doth sell the same in any other wise, or to any other person, but only to the officers of Mints, Changes and Goldsmiths within this Realme, for augmentation and amending of coine and plate (the said officers and Goldsmiths answering for the same as it is worth:) Or if any finour or part doth sell to any person whatsoever, any maner of Silver in masse molsted and alayed: Or if any finour of silver doth not put his severall marke upon his fine silver, he so offending shall forfeit the same gold or silver, or the value thereof to the King, and him that proueth the same. All fine silver which is parted and fined, must be made so fine, that it may beare xij. s. weight of alay, and yet it shall be as good as sterling. 4. H. 7. 2.

Marking of gold & silver and selling the same.

2 If any Goldsmith doth melt or alay any fine silver, to be for any works, or other intent, but only for making of Amels for diuers works of Goldsmithie, and for amending of plate, to make it as good as sterling, or better, he shall forfeit the same silver, or the value thereof to the King and him that proueth the same, and will sue for it in the Exchequer. 4. H. 7. 2.

Melting or alaying of silver.

3 If any Goldsmith, Jeweller or other that worketh harneis of silver within the Citie of London, doth set any of them to sale within the same Citie, before it be touched with the Touch, and also signed with the workemans marke, knowne to the Wardens of the same myserie, or doth sell any workmanship of silver, without it be as fine as the sterling (except it need solder, which shall be allowed according as the same is necessarie to be wrought) he shall forfeit the double value thereof to the R. and J. 2. H. 6. 14.

Harneis of silver shall be touched and marked.

4 If the keeper of the touch doth touch any harneis of silver with the Leopards head, which is not as fine in alay as the sterling, he shall forfeit the double value of the silver so touched to the R. and J. 2. H. 6. 14.

Harneis as fine as the sterling.

5 If any Goldsmith, worker of silver, or keeper of Touches in the Cities of Poike, New-castle upon Tyne, Lincoln, Norwich, Wiltow, Salisbury, or Coventrie, (which have diuers Touches) do set to sale, or touch any silver in other manner then is before ordained for London, the offender shall forfeit the double value, &c. 2. H. 6. 14.

6 If any Goldsmiths, or other worker of silver within the Realm of England, where no Touch is ordained, doth worke any silver, except it be as fine in alay as the sterling, he shall forfeit the double value thereof to the R. and J. And every such Goldsmith or worker of silver, must set his signe or marke upon the same before he put it to sale. 2. H. 6. 14.

working of silver not so much as the sterling.

7 Whosoever gildeth any sheathes or mettall but silver, and the ornaments of the Church, or layeth any silver upon any mettall, but only upon knights spurs, and the apparell which belongeth to a Baron, or one above the estate of a Baron, shall forfeit to the King tenne times so much as the thing gilt is of value, and shall also

Gilding.

Gold, Siluer, and Goldsmiths. Gunnes, &c.

also be one yeare imprisoned. 8. Henr. 5. 3. But artificers may worke ornaments of the Church of Copper and Latten, and gild or siluer the same, so that in the foot or other part, the Copper and Latten be plaine, that a man may see whereof it is made. 5. H. 4. 13. And whosoever doth gild any siluer ware other then of the alay of the English Starling, shall forfeit to the K. the value thereof. 2. H. 5. 4. S. Iustices of Peace 46.

None shall make both white vessel and gild. Vessel of siluer and gold shall be assayed & touched.

8 No Goldsmith making white vessel, shall meddle with gilding, nor any using gilding, shall make any white vessel, upon paine to forfeit the value of the vessel so made, or gilt, to the King. 37. Ed. 3. 7.

9 If any Goldsmith doe suffer any vessel of gold or siluer to depart from him before it be assayed by the Wardens of the same mysterie, and touched with the Leopards head, or doth set any stone in gold, except it be naturall, he shall be imprisoned, and make fine at the Kings pleasure. 28. Ed. 1. 20.

The finenesse of goldsmiths wares of gold

Kij. d. an office for gold beside the fashion.

10 No Goldsmith shall worke, sell, exchange or cause to be wrought, sold or exchanged any plate or other Goldsmiths wares of gold, lesse in finenesse then that of twenty two Charrots, and shall vse no Sother, Amell, nor other stuffings whatsoever in any of their workes moze then is necessarie for the finishing of the same, nor shall take aboue the rate of xij. s. for the ounce of gold (besides the fashion) moze then the buyer shall or may be allowed for the same at the Queens Exchange or Mint, upon paine to forfeit the value of the thing so sold or exchanged, to the Qu. and party grieved, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 18. Eliz. 14.

The finenesse of goldsmiths wares in siluer.

The Goldsmith shall set his marke to his worke.

11 No Goldsmith shall make, sell, or exchange in any place within this Realme, any Plate or Goldsmiths wares of Siluer, lesse in finenesse then that of eleauen ounces two penie weight, nor take aboue the rate of twelue pence for every pound weight of Plate or wares of Siluer (beside the fashion) moze then the buyer shall or may be allowed for the same at the Queens Exchange or Mint. Nor shall put to sale, exchange, or sell any Plate or Goldsmiths worke of Siluer, before he hath set his owne marke to so much thereof, as conueniently may beare the same, upon paine to forfeit the value of the thing so sold, or exchanged, to the Qu. and partie grieved, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 18. Eliz. 14.

Wardens allowing faulty ware.

12 If any Goldsmith shall make any Goldsmiths worke or Plate, and the same shall be touched, marked, and allowed for good by the Wardens or Masters of that mysterie, and in the same there shall be found any falshood or deceit: then the Wardens and Corporation of that mysterie for the time being, shall forf. and pay the value of the thing so exchanged, or sold, to the Queene and party grieved, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 18. Eliz. 14.

1 There shall be no more given for coined gold or siluer, then it is currant by Proclamation. S. Money 1.

2 Gold may not be deliuered to any Alien. See Money 3.

3 No man shall transport gold or siluer. S. Money 3.

Gunnes, and Crossebowes.

Keeping or shooting in Gunnes.

If any person doe shoot in any Crossebow, Handgun, Hagbut, or Demphake, or keepe any of them in his house or elsewhere, except he or some other person to his vse, hath in his owne or his wifes right, Landes, Tenements, Fees, Annuities or Offices to the yearely value of 100. l. he shall forfeit for euerie offence tenne pounds to the King and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 33. H. 8. 6.

2 Cuerie

2 Everie person which shall shoot in, carrie, keepe, vse, or haue in a house, or elsewhere, any Handgun, other than such as shall bee in the Stocke and Gunne of the length of one whole yard, or any Hagbut, or Demphake, other than such as shall bee in the Stocke and Gunne, of the length of three quarters of a yard, shall forfeit for euerie offence ten pounds to the King and Inf. And euery person having Lands, Fees, Annuities, or Offices, to the yearely value of 100. pounds, may seise and take euerie such Handgunne, Hagbut, and Demphake, being of shorter length than is befoze limited from the offendoz, And also euerie Crossebow from any person not having lands, offices. &c. to the value of 100. pounds by yeare, and retaine the same to his owne vse. Which Handgunne, Hagbut, and Demphake, he which seiseth them, must breake within xx. daies after seisure, or else hee shall forfeit for euery of them xl.s. to the K. and J. &c. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 33. H. 8. 6.

The length of a handgnn, hagbut, demphake.

who may take the gunne or crossebow from the offendoz.

3 Whosoever shall carrie, or haue in his tourney on foot or horsebacke any Crosse-bowe bent, or Gunne charged, or furnished with Powder, fire, or touch for the same except it be in time and seruice of warre, other than such as haue lands, annuities, fees, or offices, to the yearely value of 100. l. he shall forfeit for euery of senes 10. l. to the K. and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 33. H. 8. 6.

Carrying a Crossebow bent, or Gun charged.

4 He that doth shoot with Handgunne, Demphake, or Hagbut, at any thing at large, within a Citie, Borough, or Market Towne, or within a quarter of a mile of either of them except it be at a butte or banke of earth, in a place conuenient, or for the defence of his person, or house, shall forfeit for euerie shot ten l. to the K. and J. &c. 33. H. 8. 6. And if any person vnder the degree of a Lord of Parliament, doth shoot in a Handgun in a Citie or Towne, at any marke vpon a Church, house, or Doue-coat, he shall forfeit for euery offence x. l. and be imprisoned thre moneths. 2. E. 6. 14.

Shooting in a citie or market towne at a thing a large.

5 Whosoever doth command any of his Seruants to shoot in a Crosse-bowe, Handgun, Hagbut, or Demphake, of the Pastors, or other persons, at any deare, foule, or other thing, except it be at a butte or banke of earth, or in time of warre, shall forfeit for euerie offence tenne l. to the K. and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. But if the K. doe not commence his suite within one yeare, and euerie other person within halfe a yeare next after the offences committed, for any penaltie or forfeiture to any of them giuen by this Statute, they shall be excluded of their actions and suits, and the offendoz clearely discharged. 33. H. 8. 6.

The master commanding his seruant to shoot.

6 It is lawfull for euerie person to arrest or attach any person, which he seeth or findeth offending, contrarie to the effect of this act, and to bring him to the next Iustices of Peace in the same Countie, which Iustice vpon due examination & pzoofe, may commit the offendoz to the next Gaole, there to remaine vntill he hath paid such penaltie, as he hath forfeited by this Statute, of which penaltie the King shall haue the one halfe, and the said bringer the other. 33. H. 8. 6. S. Iustices of Peacc 45. Lectes 9.

Euery man may arrest an offendoz.

7 But it is lawfull for all Gentlemen, Yeomen, and Seruingmen of euerie Lord, and of all Knights, Esquires, and Gentlemen, and to all the Inhabitants of Cities, Boroughes, and market Towns of this Realme of England, to shoot with any Handgunne, Demphake, or Hagbut, at any Butte or Banke of earth, onely in place conuenient for the same, so that euerie of them be of seuerall lengths afoze said, and not vnder. And it is lawfull to euerie Lord, Knight, Esquire, and Gentleman, and the Inhabitants of euerie citie, borough, and market towne, to haue and keepe in euerie of their houses any handgun, of the length of one whole yard, and not vnder, to the intent to shoot with the same at a banke of earth, or butte only. And

Who may keepe or shoot in Gunnes.

Gunnes, and Crossebowes.

enerie person which dwelleth in any house, being distant two furlongs from any citie, borough, or towne, may keepe in his house for the onely defence of the same, handguns, hagbutts, and demphakes of the severall lengths aforesaid, and not vnder, and may vse to shote in the same, at any butte or banke of earth, neere to his house, and not otherwise. And enerie person appointed by the King to keepe or receiue any Crossebowes, or Handgunnes forfeited, or taken within the precincts of his forests, parks, or chases, may lawfully retaine the same, vntill his further pleasure be to him declared. And the makers of crossebowes and handguns, may lawfully keepe crossebowes, handguns, hagbutts, and demphakes in their houses, & shote in the same onely for assaying of them at a butte or banke of earth in place convenient, and not otherwise, so that the same be of the severall lengths aboue mentioned. 33. H. 8. 6.

To these persons this Statute extendeth not.

8 This Act shall not extend or bee preiudiciall to any Merchants, hauing any Crossebowes, handguns, hagbutts, or demphakes to sell, and to none other vse, so that the same be of the severall lengths aboue limited, and not vnder. Neither shall extend to any of the Kings subiects, whose houses be not aboue five miles distant from the Sea coasts, or which be inhabitants of the Isles of Gersey, Wernesey, Anglesey, Wight, and Man. But it is lawfull for enerie of the said inhabitants to haue and vse their handguns, hagbutts, and demphakes, of the lengths abouesaid, within the said limits and Isles, so that it be to no Deere, Shoueler, Felant, Partridge, wild Swan, or wild Elke. Neither shall this Act extend to any owner of any Ship, for hauing or keeping of any handgun, hagbut, or demphake, of the severall lengths aboue expressed, or vnder, onely to be had and occupied within any their Ship, or other Vessel, or for the carriage and recarriage of them on land, or keeping them, for the onely exercise of them within their Ship or Vessel: Neither shall this Act be preiudiciall to any seruant or person that shall bend, beare, carrie, charge, vse, or assay any crossebow, handgun, demphake, or hagbut, of the lengths aforesaid, by the commandement of his Lord or Master, so that he doe not shoot at any foule, deere, or other game: For to any such seruant or person, that shall beare, or conuey any crossebow, handgun, hagbut, or demphake, of the lengths aforesaid, to any place by the commandement of his Lord or Master that may shote, to be repaired, amended, deliuered, or assayed, so that the same seruant or person haue ready to shew to enerie person requiring the sight thereof, one licence in writing, sealed, or subscribed by his said Lord or Master to carrie the same crossebow &c. to bee amended, assayed, or deliuered. 33. H. 8. 6.

Placards.

9 If any person obtaine of the King, his heirs, or successors, any placard, licence, or bill assigned to shoot in a crossebow, handgun, hagbut, or demphake, contrarie to the purpozt of this Act, then there shall be contained therein at what beasts, or other foules he shall shoot, or else the same placard, &c. shall be void. And every such person before he doth shoot, shall be bound in the Chancery in Recognisance in xx. l. to the King, that he shall not shoot at any other beasts or foules than is specified in his placard, licence, or bill assigned. And all placards, licences, and bills made to any person not bound, shall be void. 33. H. 8. 6.

Shall shot.

10 Whosoever shall shoot in any place any haileshot, or moze pellets than one at one time, shall forfeit tenne pounds, and bee imprisoned thre moneths. 2. Edw. 6. 14.

The names presented of those which shoot in guns.

11 All persons authorized to shote, or otherwise, are bound (vnder the paines of xx. s. a shoot in any handgun, or halfe-hake) to present their names to the next Just. of Peace of the Shire, if he dwell in the Countrie, or to the Maior or head Officer if he dwell in a towne Corporate, to the intent the Clerke of the Peace may keepe a booke of the names of all such, that the Just. may know how many able persons he hath in each Countie for that seruice. And the Justice, Maior, and head Officer are bound

bound vnder the like paine to receiue their names. 2. Ed. 6. 14.

1 Where, in what case, and in what maner it shalbe lawfull for a Gunner to take an Apprentice. S. Labourers 30.

2 The punishment of a Gunner which taking prest wages to serue &c. departeth from his Captaine. S. Felonie 23. Mariners 1.

3 Licence to shoot in Guns for Hawkes meat. S. Fefants 10.

Hats and Caps.

Whofoener doth by himfelfe, or any other, make or worke any felt or hat, or with any fozeine wooll, or stufte, (vnlesse such person hath first bene apprentice or couenant seruant to the Myfterie of Felt, or Hat-making by the space of feuen yeares at the least) shall forfeit all such Hats or Felts which he shall make or cause to be made while he worke, & five pounds for euerie moneth that he shall so continue. But euerie person that was a maker or worke of Hats at the time of the making of the Statute, may so continue during his life, though hee were not bound prentice for vij. yerres. 8. El. 11. And whofoener doth by himfelfe, or by his seruant or apprentice worke any felts or thummed hats, or occupie the myfterie of making of felts or thummed hats within the city of Norwich, or county of Norfolk (vnlesse he be admitted so to do by the Maior, Recorder, Steward, and two Just. of Peace of the said citie, or by foure of them, or that he hath bin apprentice to y^e same occupation by the space of vij. yeares, or both make any hats or felts, or occupie the myfterie therof in any place out of the citie of Norwich within the county of Norfolk, but only in a corporat or market Towne) shall forfeit the same felts or hats, and also x. s. for euerie halfe dozen of them made contrary to this Statute. But if the Maior, Recorder, Steward, or Just. of P. of the citie of Norwich, take any reward for admitting any person to occupie the said Art, he shall forfe. for euerie offence v. l. to the R. and J. to be recovered by A. J. &c. wherein no W. &c. P. or fozein plea &c. 5. Ed. 6. 24. S. Couerlets 9. &c.

None shall worke hats, but which haue bene prentice.

Making hats in Norwich and Norfolk

2 Whofoener shall make, sell, or cause to be made or sold, any Cappe, or other thing of Felt, but only Hats, or shall make sell, or &c. any Cappe of Woollen cloth not knit, or shall die, or &c. blacke any Cappe with Barke or Swarfe, but only with Copperas and Gall, or with Wood and Yadder, or shall thicke or full in a Mill any Cap, vntill the same be first well scoured and closed vpon the banke. and halfe thicked at the least in the foot-stocke, shall forfeit for euerie offence x. s. But this act shall not extend to any making of hats with Woolded yarne in the citie of Norwich 8. El. 11.

Caps of felt or of woollen cloth not knit.

Dying, thickening, or fulling of Caps.

3 If any maker or worke of Hats, doth take about two apprentices at one time, or both take those for any lesse time than feuen yeares at the least, he shall for euerie apprentice so taken, be one moneth imprisoned in the common gaole without baile or mainepprise, and be from thenceforth disabled to haue any moze apprentices than one at a time, & also such taking of apprentice is void. But this act shal not charge any Felt, or Hat-maker, with any paine of forfeiture, for setting a worke his owne childzen for making of felts or hats in his owne house &c. 8. Eliz. 11. S. Corporations 18.

How many apprentices haters may take.

4 The moitie or one halfe part of all and euerie the forfeitures & penalties contained in the same former act of 8. El. 11. and also the moitie or one halfe part of all and euerie the forfeitures & penalties hereafter limited and appointed in & by this act, shalbe to the R. his heires, and successours, and the other moitie to such person or persons as will sue for the same by A. B. P. or J. in any court of Record, wherin no C. W. P. &c. shalbe allowed &c. 1. Jac. 17.

The forfeitures.

5 No person or persons shall make or cause to be made any Felt or Hat, of, or with

W or Y

Hats and Caps.

Hawkes.

Who may be
Felt-makers
and who their
servants.

with any wooll or stufte whatsoever, vnlesse he or they shall haue first serued as app-
rentices in the foresaid trade or art of Felt-making, during the space of vij. yerres
at the least: Neither shall they retaine & set to worke in the said art, any other per-
son or persons than Journeyemen, that haue lawfully serued in that art, & appren-
tices lawfully bound in the said trade or art: For above two apprentices at one time,
for those for any lesse time than vij. yerres, vpon paine to forf. b. l. for euery moneth,
that he shall continue offending, contrarie to the true meaning of this act, to be reco-
uered to the vles and in maner aforesaid. 1. Iac. 17.

No stranger
shalbe set on
worke in ma-
king of Hats.

6 No person or persons shall retaine or set on worke in the said Art of Hat or
Felt-making, any person or persons bozne out of his Maisties Realmes of Eng-
land, Scotland, and Ireland, vpon paine to forf. b. l. for euery moneth, wherein such
person or persons shall offend, contrary to the meaning of this act, to bee recovered
to the vles, and in maner aforesaid. 1. Iac. 17.

Hat-makers
sonnes.

7 Nothing in this Act, nor in the said former Act contained, shall extend to
charge any person or persons lawfully exercising the said Art, with any paine or
forfeiture, for setting or vling his or their owne naturall sonne or sonnes, to & ma-
king or worcking of Hats or Felts, in his or their owne house or houses: so as eue-
rie such sonne or sonnes be bound by Indenture of Apprenticeship for the terme of
vij. yerres at the least, which terme shall not be to expire, before he shall be of the full
age of twentie two yeares: Any thing abovesaid to the contrarie notwithstanding.
1. Iac. 17.

Hat-makers
at the time of
the Statute.

8 Euerie Felt-maker that now is, and by the space of one yeare last past before
the beginning of this Parliament, was a maker or worcker of Felts, and being an
householder, and all such as now are Apprentices, Couenant seruant, or Journey-
man, in the same art or mysterie of Felt-making (so as the same apprentice serue &
residue of vij. yerres at the least) that or may during such persons naturall life, conti-
nue making of hats & felts, albeit the same person were not bound apprentice to the
same art for the space of vij. yerres: Any thing in this act, or elsewhere, &c. notwith-
standing. 1. Iac. 17.

1 Hat-makers dwelling in Norwich may buy Middle Vffe yarne to make hats
with. S. Yarne.

Hawkes.

Taking
Hawkes or
Hawkes eggs
out of ano-
thers grounds

Whofoeuer doth wrongfully, by night or day, take away any Hawke or
Hawkes, or the eggs of any of them, out of the woods or ground of any per-
son (not hauing lawfull authoritie or licence so to doe) and thereof is lawfully con-
uicted at the suit of the Queene, or partie griued, shall pay to the partie griued
his treble damages, suffer imprisonment by the space of thre moneths, and then
find sufficient suretie for his good abearing, for the space of seven yeares after, or
else remaine in prison, vntill he hath found sureties. 5. Elizab. 21. S. Iustices of
Peace 34.

How each mā
shall vse the
hawke which
he taketh vp.

2 Whofoeuer findeth a Faulcon, Carcelet, Laner, Laneret, or other Hawke,
which the owner thereof hath lost, shall immediatly bring the same to the Sherife
of the Countie, which shall make Proclamation in all the good Townes of the
Countie, that he hath such a Hawke in his custodie: And if the owner which lost
the Hawke, or any of his seruants come to challenge it, and proueth that it is his
Passers, he shall pay for the costs and haue it. And if none doe come within foure
moneths to challenge it, then the Sherife shall haue the Hawke, agreeing with him
that tooke it vp, if he be a simple man, and if he be a gentleman, and of estate to haue
a Hawke, then the Sherife shall deliuer him the Hawke, taking reasonable allow-
ance for the keeping thereof. And whofoeuer taketh a Hawke, and the same con-
cealeth.

cealeth from the owner, or from his Faulconers, or taketh away a Hawke from the owner, or stealeth a Hawke, and carrieth it away, not obseruing the foresaid ordinances, & is therof attainted, shalbe bled as a felon which hath stolen a horse, or other thing. 34. Ed. 3. 22. 37. Ed. 3. 19.

3 Whosoever doth take or cause to be taken upon his owne ground, or any other mans, the eggcs of any Faulcon, Goshawke, Laner, or Swanne, out of the nest, shal be imprisoned a yeaere and a day, and make fine at the Kings pleasure. 11. H. 7. 17. Taking the eggcs of hawks or Swans.

4 Whosoever taketh any Cirer, Faulcon, Goshawke, Tassell, Laner, or Lanerret, in his Warren, Woods, or other place, or purposely driueth them out of their couerts accustomed to breed in, or causeth them to go to other couerts to breed in, or killeth them for any hurt by them done, shal forfeit to the K. and J. 11. H. 7. 17. S. Just. of P. 39. The taking, fearring, and killing of Hawkes.

5 Whosoever doth beare any Hawke of the breed of England, called a Pyesse, Goshawke, Tassell, Laner, Lanerret, or Faulcon, shal forfeit the same to the K. 11. H. 7. 17. The bearing of English Hawkes.

6 Whosoever bringeth any Pyesse, Hawke, or Hawks, from any parts beyond the sea, must bring a Certificat vnder the Customers seale of the port where he first landed with the same Hawk, &c. And he that commeth forth of Scotland, then vnder the seale of the Ward or Lieutenant of the march where he came throughe, testifying that the same Hawks be of the parts beyond the sea, or Scotland, or else he shal forfeit to the K. the same Hawkes. 11. H. 7. 17. Bringers of Hawks from foreign regions shal bring a Certificat.

1 Each man may haue Eires of Hawkes within his owne Woods, which be within any Forest. S. Woods 24.

2 No person shall hawke where any eared or coddled corne shall bee standing. S. Feafants 4.

Hauens and Riwers.

If any person doth cast or vnload out of any Shippe, Crayer, or other Vessell, being within any Hauen, Rode, Channell, or Riuer, flowing, or running to any Port Towne, or to any Citie, Borough, or Towne, within any of the Kings Dominions, any Balast, Rubbish, Grauell, or other Trecke or filth, but only vpon the land, above the full Sea marke, hee shall forfeit for euerie offence v. l. to the King and Informer, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 34. H. 8. 9. No rubbish shalbe cast into any hauen, &c.

2 Whosoever fasteneth to any posts, boats, ankers, or like things, any maner of nets ouerthwart any Riuer, there to continue, shal forfeit for euery offence v. l. to the K. 2. H. 6. 15. Fastening nets ouer riuers.

3 It shall not be lawfull to any person or persons whatsoever to set any Net or Nets with any Boat or Boats called a Stall-boat, or other Boat or Vessell whatsoever, within the entrie or mouth of the Hauen of Oxford, in the Countie of Suffolke, or in the Gull, being a braunch of the same Hauen, except the maff or shale of euerie such Net, throughtout the whole Net, do containe two ynches and a halfe at the least in widenesse, from knot to knot, vpon paine to forfeit for euerie time that any Net or Nets shall bee set or placed in the said Hauen or Gull, not being of the maff or shale aforesaid, five pounds, together with the net or nets so set, or the value thereof, to the D. and Informer, to be recovered in any court of Record at Westminister, and not elsewhere, by A. B. P. or J. wherein no W. &c. C. P. &c. 27 Eliz. 21. Of what maff euery net to be set in Oxford Hauen shalbe

4 No person or persons shall labour, or worke, or cause to bee laboured or wrought in any manner of Tinne workes, called Streame workes, within the Counties

U a ij

Counties

Hauens' and Riuers.

**Preference
of the Hauens
in Devon and
Cornwall.**

Counties of Devon and Cornwall, nigh to any of the fresh waters, Riuers or low places, descending, or hauing course vnto the Hauens or Ports of Plymouth Dartmouth, or Lymington, in the countie of Devonshire, Falmouth, and Fowese, in the countie of Cornwall, or any of them, no shall labour, dig, or wash any Tin in any of the said Tin-wozkes, called Streame wozkes, vnlesse the said digger, owner, or washer shall make or cause to be made sufficient Hatches and Ties in the end of their puddles and cozds, and therein put and lay, or cause to be put and laid all the stones, grauell, and robell digged about the insearching, finding and washing of the said Tin, there to be wholly and surely kept by the said Hatches and Ties, out and from the said fresh Riuers, or water courses, or any of them: so that the said sand, stones, grauell, and robell, ne any part therof, be for lacke of such Hatches or Ties conueyed into the said Ports and Hauens, or any of them, vpon paine to forfeit for euerie time that any Owner, Tinner, Digger, or Labourers, shall dig, or wash, or cause to be digged or washed any Tin, contrarie to the forme aforesaid, xx. l. to the K. and J. to be recovered by M. B. P. J. or otherwise, wherein no M. C. P. &c. 28. H. 8. 23.

**No penaltie
for suing ac-
cording to
this Statute.**

5 If any person or persons shall happen to be sued, accused, indited, imprisoned, amerced, condemned, or otherwise bereed or troubled in his person, lands, Tinne-wozkes, goods, or chattels, by any of the Ministers or Officers of the K. Courts of Stannerie, or by any other person or persons, for pursuing or attempting any suite or action, according to this Statute, against such person or persons as shall offend, contrarie to the forme aforesaid: then all such suits, arcusements, inditements, imprisonments, actions, condemnations, fines, amerciaments, and euerie other Act or acts to bee done in any of the said Courts of Stannerie, or elsewhere, by any person or persons against any person or persons, for suing or attempting any suits or actions, by vertue of this Statute shalbe vtterly void. And the partie sued, indited, accused, imprisoned, or otherwise grieved or molested for pursuing against any person or persons offending this Statute, shall haue his action and remedie groundes vpon this Statute by M. B. P. J. or otherwise in any of the K. Courts, against such as shall procure or attempt to beree, trouble, or otherwise molest any such person or persons for suing or pursuing of the forfeitures aforesaid, and shall recover treble damages in that behalfe, wherein no M. C. or P. shalbe allowed to the defendant. 27. H. 8. 23.

**Imprisoning
for suing ac-
cording to
this Statute.**

6 If it shall happen any person or persons for pursuing any suit or action vpon this Statute, or by occasion of the same to be imprisoned by any person or persons, being Officers or Ministers of the Court of the Stannerie, their deputies, or substitutes, then euerie of the Iustices of Peace within any of the counties aforesaid, wherein the said prisoner shall happen to be committed to prison, vpon credible information thereof (taking suretie by his discretion for apparance of such prisoner at the next generall Sessions of Peace) shall haue authoritie as well to direct his warrant to the gaoler, or keeper of the prison, as to any other person or persons to whom the said prisoner shalbe committed, commaunding him or them vpon paine of forfeiture of xl. l. to deliuer or put at large the said prisoner or prisoners: which if he refuse so to doe, then euerie such offender shall forfeit the said xl. l. the one halfe of the said forfeiture shall be to the King, the other halfe to him that is grieved by such imprisonment, to be recovered in manner and forme aforesaid, wherein no M. C. or P. shalbe allowed to the defendant. And if it shall bee pioned vpon the apparance of such prisoner at the quarter Sessions, by examination of the Just. of peace there being, that he was imprisoned contrarie to the forme of this Statute, then hee shall be forthwith dismissed, and thereby discharged. And if he were lawfully imprisoned for any other cause, then to be remanded to prison by the discretion of the Iustices. 27. H. 8. 23.

7 Provided alwaies, that this act be not preiudiciall to any of the officers of the *The Liberties of the Stann-*
Stannerie, ne to any of their lawfull Liberties, Priuiledges, Lawes, or Customs, *nerie.*
sauting onely in the cases and prouissions contained and limited within this Act: which shall be alwaies put in execution, according to the tenor of this Act, any custome, priuiledge, ordinance &c. notwithstanding. 27.H.8.23.H.8.8.

8 The Lord Chaunceloz of England for the time being, at all times vpon request to him to be made by the Maior and Comminaltie of the Citie of Pozke and Towne of Hull, or by any other Citizen and Burgesse of the said Citie and Towne for the time being, or other person by them vnder the common seales of the said Citie and Towne authozized, shall haue authoritie by his discretion to make and direct Commissions vnto eight sad and discreet persons (whereof foure of them to be Citizens and inhabitants of the said Citie and Towne, and the other foure to be Just. of peace, two of the West Riding, and the other of the East Riding of the Countie of Pozke, not of fee, nor retained with the said citie or Towne) that the big. vij. b. b. or iij. of them, whereof two of them shall bee of the said Citie and Towne, the other two Just. of peace, the one of the East Riding, the other of the West Riding of the said Countie, by vertue of the said Commission shall and may assigne and appoint the owners of fish-garthes, stakes, piles, and other Engins in the riuer and water of Duse and Humber, to pull bp and redresse, or cause to be pulled bp and redressed within thirtie daies after admonition giuen to the said owners by the said Commissioners, or by such of them taking the charge of the execution of the said Commission, such, and as much of the said fish-garthes and other impediments to be made in the said waters, to the let, disturbance, damage, or leu- perdy of any ships, kelles, boats, or any other vessels, passing or repassing to or from the said Citie of Pozke to the said Towne of Hull, as by them shall be thought meet and conuenient. 23.H.8.18.

9 No person or persons within the said Riuer and water of Duse and Humber, shall set fish-garthes, or any other Engines to take fish withall, within the waters aforesaid, but onely with such Nets and other Engines, as shall be of assise and measure according to the standard and ancient and laudable customes vsed in the said riuer and water of Duse and Humber, and also to vse the fishing within the said waters, all such times, as within the same hath of old time bin accustomed, and at none other time. 23.H.15.

10 Euerie of the said owners and occupiers of such fish-garthes, for euery month offending contrarie to this Act, shall forf. xl. l. And euerie other person in fish- leuures. thing contrarie to this Act offending, shall forf. x. l. the one halfe of which penalties shall be to the K. and the other halfe to the Maior and Comminaltie of the Citie of Pozke, and their successors, to be recovered against euery person and persons so offending, as well by B. J. or otherwise, at the K. suit, as by originall writ of debt, at the suit of the said Maior and Comminalty, and their successors, wherein no W. C. D. shall be allowed. 23.H.8.18.

1 A new Riuer brought out of the Countie of Hertford to London. 3.Iac.18.

2 The Riuer of Thames. 4.H.7.15.27.H.8.18.3.Iab.20.

3 The Riuer of Ley. 3.H.6.5.9.H.6.9.13.Eliz.18.

4 The Riuer of Canterburie. 6.H.8.17.

5 The Riuer of Exe by Exeter. 31.H.8.4.

6 The Riuer of Mew by Plimmouth. 27.El.20.

7 The Riuer of Seuerne. 9.H.6.5.13.H.8.12.

8 Douer Hauens. 23.El.6.31.El.13.35.El.7.43.El.9.1.Iac.32.

9 South-hampton hauens. 11.H.7.5.14.H.8.13.

10 The hauens of New-castle. 11.H.8.18.

11 Kingrode hauens by Bristoll. 34.8.9.

Hempe, Flaxe. Herons. Hexam, and Hexamshire.

12 The Hauen of Rye, and Winchelsey. 2.Ed. 6. 30.

13 Chichester Hauen. 27.Eliz.22.

Hempe, Flaxe.

watering of
Hemp & Flax.

Wholsoener doth water any Hempe or Flaxe in any river, running water, streame, brooke, or other common pond where beasts be used to be watered, but onely on the ground, or pits for the same ordained, or else in his owne several ponds, shall forfeit for every offence xx.s. to the K. and the partie grieved, or J. &c. to be recovered in any Court of Record, Lat, or Lawday, by A. J. &c. wherein no W. &c. C. P. &c. 33. H. 8. 17.

1 Where Hempe growing within five miles of Burport, shall be sold, and how much hempe shall be accounted a stone. S. Cables 1. 3.

Herons.

Taking of old
Herons.

If any person, without his owne ground, both kill, take, or cause to be taken, any Herons, by meanes of any craft or engine (without it be with hawking, or long bow) he shall forfeit for every Heron so taken or killed, vij. s. viij. d. to the K. and J. to be recovered by A. of debt, wherein no W. &c. P. &c. 19. H. 7. 11.

Taking young
Herons.

2 If any person without his owne ground, both take any young Herons out of the nest, without licence of the owner of the ground where the said nest is, hee shall forfeit for every Heron so taken out of the nest, x. s. to the King and Inf. to be recovered by Action of debt, wherein no W. &c. P. &c. 19. H. 7. 11. S. Iustices of Peace 35.

Hexam, and Hexamshire.

The Territorie, Franchise, and Libertie of Hexam and Hexamshire, with the liberties of the same, may be, is, and shall be taken to be within, and part, parcel, and member of the Countie of Northumberland. And as well the Pleas of the Crowne, as all suits betwixt partie and partie, may proceed and haue their due end and trial within the said county of Northumberland, by, and before the Sherife and Coroners of the said Shire, and also before the Just. of peace, Just. of Gaole delivrie, Just. of Assise, nisi Prius, Oyer and Determiner, and other Officers, and each and every of them, as the case shall require, and take effects, as any of the like have beene, or ought to be, which have happened, or shall happen within the said Countie of Northumberland. And the Sherife and other Officers of the Countie of Northumberland for the time being, haue full power and authority to execute his or their Office, and all processes to him or them directed, within Hexam and Hexamshire, and the liberties of the same, in as large and ample manner as he or they may, should, or ought to do, within any other part of the said Countie of Northumberland, any Graunt, Priviledge, Custome, &c. notwithstanding. Saving to the Bailie of the Liberties, or other Officers of the said Towne of Hexam and Hexamshire, or the the Liberties thereof, all Liberties and Priviledges for executing of Proces, returne of Writs, and otherwise, as they or any of them of right ought to haue, before the making of this Act. 14. Eliz. 13.

Highwaies.

The Constables and Churchwardens of every parish within this Realme, shall yearly upon the Tuesday or Wednesday in Easter weekes, call together a number

number of the Parochians, and then shall chuse two honest persons of the Parish, to be Surueyors for one yere, of the woorks for the amendment of the highwaies in their Parish, leading to any Market.town, the which shall order and direct by their discretions, the persons and carriages appointed for those woorks. And if any the persons so named to be Surueyors, will not take vpon him the execution of the said Office, he shall forfeit r.s. 2. & 3. P. & M.8. 29. El. 5.

Surueyors for the amendment of highwaies.

2 The Constables and Churchwardens shall then also appoint six daies for the mending of Highwaies, before the natiuitie of Saint John Baptist, and shall openly in the Church vpon the Sunday after Easter, give knowledge of the same six daies. And euery person hauing a Draught or Plough, which doth not lend and find at euery day and place appointed for the amending of highwaies in that Parish, one waine or cart furnished after the custome of the countrie, with Oxen, Horses or other cattel, and other necessaries meet to carrie things couenient for that purpose, and also two able men with the same, for euery plough land in tillage or pasture that he hath, shall forfeit for euery draught making default r.s. 2. & 3. P. & M.8. 5. El. 13. 29. El. 5.

Six daies for the amending of waies.

Each mans charge for a ploughland.

3 If any of the carriages of the parish shall not be thought needfull by the Surueyors to be occupied vpon any of the said daies, then such person as should haue sent carriage, shall lend for euery carriage so spared, to able men there to labour for that day, vpon paine to forfeit for euery man not sent, ry. d. 2. & 3. P. & M.8. 5. El. 13. 29. El. 5.

Two men instead of a carriage.

4 If any Householder, Cottager, or Labouer, of the parish, hauing no Plough or Draught, able to labour, and being no hired seruant by the yere, doth not by himselfe, or one sufficient Labourer for him, vpon euery of the said six daies, worke in the amendment of the Highwaies, he shall forfeit for euery day making default xij. s. which persons and carriages shall bring with them shouels, spades, mattocks, and other tooles, and do such worke as they be appointed vnto by the Surueyors, by the space of eight houres in euery of the said daies (except they bee otherwise licenced by the same Surueyors, or one of them.) 2. & 3. P. & M.8. 29. Eliz. 5. The Just. of peace within the Countie of Norfolk, shall and may yearly at any generall Sessions to be holden within the said Countie, for and towards the making and amending of any of the sea bankes, or sea woorks, within the said countie of Norfolk (now being, or that hereafter shall be in ruine or decay) limit and appoint so many of the aforesaid day woorks, as by their discretions shall be thought superfluous, & not needfull to be employed towards the amendment of the foresaid highwaies, within iij. miles of the said sea bankes, or sea woorks, which shall needfully require any such reparation or amendment. And euery person and persons, dwelling within three miles of the said sea bankes and sea woorks, needfully to be amended as is aforesaid, shall yearly vpon reasonable warning giuen, during so many dayes as shall be limited and appointed in the said Sessions, in respect of his and their labour and carriages, stand and bee in that degree charged and chargeable towards the making, repairing, and amending of the said sea bankes, or sea woorks, as by the foresaid Stat. of 2. & 3. P. & M. 5. Eliz. 13. they stand charged and chargeable for the amendment of any Highwaies: And they and euery of them for the not doing and performing of the same, shall incur the like paine, penaltie, and forfeiture, as is contained in the foresaid Statutes made for the amendment of Highwaies, and euery of them. And the said Justices likewise, in their aforesaid generall Sessions, shall and may nominate and appoint the High Constables of euery Hundred, that shall be charged, or chargeable by force of this Act, towards the making or amending of the said sea bankes, or sea woorks, to bee Surueyors of the said sea woorks, and sea bankes, and they and euery of them shall take vpon them the execution of the said charge and Office, and duely performe the same, vpon such

Cottager.

Necessarie Tooles.

Repairing of Sea woorks, &c. in Norfolk.

High Constables Surueyors

Highwaies.

such like paine and forfeiture, as by the said Stat. or any of them, be imposed vpon any Suruey or Surueyours, for not taking vpon him or them the Office of Surueyours, for the amendement of highwaies. And every person and persons, which shal be perely charged to the making & maintenance of the said banks, or sea woakes, shal be discharged of so many daies towards the making of the Highwaies, as shal be imploied and bestowed towards the making and amendng of the said sea woakes, and sea banks: All the said penalties and forfeitures to be leuied in manner and forme as in the said Stat. are limited or appointed. 27. El. 24. 1. Jac. 25. To endure vnto the end of the first Session of the Parliament next ensuing.

Taking of o-
ther mens
rubbish.

5 It is lawfull for euery Suruey or, for the amendng of the waies within the parish where he is Suruey or, to take & carry away so much of the rubbish or smalest broken stones which he shall find ready digged in any Quarrey, being within the parish where he is Suruey or, as by his discretion shal be aduinged necessarie for the amendng of the waies, without licence, controlment, or impeachment of the owner. And for default of a Quarrey not found in the Parish, or of rubbish not found in such Quarrey, it is lawfull for euery such Suruey or to gather stones vpon any lands or grounds within the parish, meet to be bled to such purpose, and likewise to dig or cause to be digged for grauell, sand or sinder, for the said ble, in the seuerall ground of any person, where the same is like to be found within the parish where he is Suruey or, and nigh adioynng to the way where such reparations shal be thought necessarie (so that it be not in the house, garden, orchard, or medow of any person, nor about one only pit in any seuerall & inclosed ground, which pit, shall not be in breadth or length aboue x. yards ouer at the most) And if the Suruey or which shall cause such pit to be digged, do not within one moneth after such dig- ing cause the same to be stopped by with earth at the costs of the Parishioners, hee shall forfeit to the owner of the soyle, where the pit is made, v. marks to be recou- red by A. of debt. 5. Eliz. 13. 29. El. 5.

Gathering of
stones.

Digging for
grauell.

Places not
lawfull to dig
in.
The Suruey
or shall stop
the pit againe.

Turnng a
water course
into any man
ground.

6 It is lawfull for euery Superuisor in the parish where &c. to turne a water course or spring of water, being in any highway, and berie nopsome to the same, in- to any ditch of the seuerall ground of any person or persons next adioynng to the said highway in such manner, as by the discretion of the said Superuisor shall bee thought most meet. 5. Eliz. 13. 29. El. 5.

Fences and
ditches nere
vnto High-
waies.

7 The hayes, fences, dikes, or hedges, next adioynng on either side to any high- way, shall from time to time be diked, scoured, repaired and kept low, and all tress and bushes, growing in the highwaies cut downe by the owners, whereby the said wayes may be open, and people may haue moze ready and easie passage, vpon paine that every person committing any offence to the contrarie, shal forfeit. for euery de- fault x. s. 5. El. 13. 18. El. 9.

Presentment
of the offences

8 The Suruey or which doth not within one moneth next after any offence com- mitted by any person, contrarie to the purpozt & meaning of any article aforesaid, present euery such offence to the next Just. of o. p. shall forfeit. for euery such offence not presented xl. s. And if the same J. of p. do not certifie the same presentments at the next generall Sessions within the same Countie, he shall forfeit. v. l. 5. El. 13. 29. El. 5.

Refusing to
pay the forfei-
ture.

9 If the Bailife or high Constable of any Hundred, Rape, Lath, or wapen- take, to whom the Steward of any Leet or Lawday, or in default there, the clerke of peace shall make and deliuer the estreats indented of all fines, forfeitures, and amerciaments presented befoze him or them, cannot finde any sufficient distresse of any persons offending contrarie to the purueiw of any article aforesaid: or if the said offendor shall obstinately refuse to pay the said amerciament, fine or forfeiture, and doth not pay the same within xx. dayes after lawfull demaund of the same by the said Officer, then he shall forfeit. double the sum that he should haue paid. 2. & 3. P. & c.

P. & M. 8. 5. El. 13. 29. El. 5. S. Leets 12. Just. of peace 69.

10 If the Bailiffe, or head Constable doe not once euerie yeare betwixt the first day of March and the last day of Aprill, make a true accompt, and payment of all such summes of money (to the Constables and Churchwardens of enery parish, wherein the offence was committed, or to two of them) which he shall haue collected vpon any of the aforesaid estreats, he shall forfeit for enery time not so doing xl. s. 2. & 3. P. & M. 8. 5. El. 13. 29. El. 5.

Constables accompt.

11 The Churchwardens of enery parish may call the Bailiffe and head Constable to accompt before the J. of peace, or two of them, whereof one to be of the Quorum, by bill, information, or otherwise, which Just. haue authoritie to take the accompt, and to commit the said Bailiffe, or head Constable to prison, untill he shall pay all such arrearages as shall be adiudged by the said Just. And the fines, forfeitures, and amerciaments, due for any offence, contrarie to the purport of this Stat. shall be to the Churchwardens, to be bestowed about the repaire of the waies of the said parish. But the Bailiffe and head Constable vpon his accompts shall haue allowed for euerie pound he shall collect and pay, viij. s. for his owne paines, and xij. s. for the fees of the Clerke of the peace, or Steward of the Leet, for the estreats indented of enery seuerall parish that he shall deliuer. And the successors of Churchwardens shall haue the like action of accompt against their predecessors, as is before appointed against the Bailiffes. 2. & 3. P. & M. 8. 5. El. 13. 29. El. 5.

The head Constable called to accompt.

How the forfeitures shall be impleaded.

Churchwardens accompts.

12 Enery person (except such as shall dwell in the Citie of London) that shall be assessed to the payment of any Subsidie to the Queenes Maestie to b. l. in goods, or xl. s. in lands or above, during all such time as he shall stand so assessed and not altered, & being none of the parties chargeable for the amendment of Highwaies, by any former law but as a Cottager, shall finde two able men yearely to labour in the Highwaies, as such daies and times as are before limited and appointed. 18. Eliz. 9.

The charge of each person being b. l. in goods, or xl. s. in lands.

13 Enery other person that shall occupie a Plough land in tillage or pasture, lying in seuerall parishes, shall be chargeable to the making of the waies within the Parish where he dwelleth, as farre forth and in such maner, as any person hauing a Plough land in any one parish, is or ought to be chargeable by reason of the said former Stat. or either of them. 18. El. 9.

Hauing a plough land in seuerall parishes.

14 Enery person keeping in his hands seuerall Plough lands in seuerall Townes (shall be charged to finde in each Towne or Parish (where the said plough lands doe lie) one Cart, Waine, Lumbrell, Dungport or Court Sleads, Carres, or Dragges, furnished for the repairing of Highwaies, within the seuerall Parishes where the said Plough lands doe lie, in such maner as if he were a parishioner dwelling within the parishes where the same seuerall Plough lands doe lie. 18. Eliz. 9.

A man hauing seuerall plough lands in seuerall parishes.

15 Enery person that shall occupie any Lands adioyning to any Highway, where any ditching or scouring ought to be, shall from time to time as neede shall require, ditch and scoure in his ground so adioyning, whereby the water conveyed from the said Highway ouer the ground next adioyning, may haue passage ouer the said ground so next adioyning to that ground, vpon paine of forfeiture for enery time so offending for euerie Rod not so ditched and scoured, twelue pence. 18. Eliz. 9.

Ditching and scouring.

16 No person hauing any ground by Lease or otherwise, adioyning to any Highway leading to any Market Towne, shall cast or scoure any ditch, and lay the soile therof into the Highway, and suffer it to lye there by the space of sixe moneths to the annoyance of the said Highway, vpon paine of forfeit. for enery load of soyle so cast &c. xij. s. And where any soile hath bene so cast into the highway, that there is a banke betweene the said Highway and the ditch, it is lawfull to the Surueys

Carrying of soyle into the way.

Surueys

Highwaies.

Since to co-
vey the water
into a ditch.

How the pe-
naltie shalbe
levied.

The waies
shall be 200.
foe broad.

The repaire
of highwaies
in the wildes
of Suffex,
Surrey, Kent

For every 30.
loads of coales
or mine, and
for every 5.
tuns of yron a
load of grauell
ec. 1ij. s.

Surueiozs and workemen to make sluces or other deuices by their discretions, to conuey the water out of the said way into the ditch: any law or vsage &c. notwithstanding. 18.El.9.

17 Every penaltie forfeited for any cause within this Statute, shall be levied in every parish by the Surueiozs of the waies within that parish by distresse, and sale of distresse, in maner as fines and amerciaments in Leets haue bin vsed: And the money so leuied shalbe employed vpon the highway where the offence was committed. And if the Surueiozs shall not, or will not leuy and employ the same within one yere after the offence so committed, then the said s^{or}. shalbe levied in s^{or}me aforesaid, by the Constables or Churchwardens of the Towne or Parish where the work ought to be done in highway: And he or they so leuying any of the laid penalties or forfeitures, shall make such accompt as is appointed in the befoze recited Stat. 18.El.9.

18 The Highwaies leading from one market towne to another, shalbe enlarged there where any wood, hedges, or ditches be, so that there shall be no ditch, wood, or bush, where he that doth lewdly may escape, within two hundredeth foot of the high way, on the one side, and two hundredeth foot of the other (but this statute extendeth not to Alhes or great Trees.) And if any robberies be done by default of breaking downe ditches, vnderwood, and bushes, the Lord shal answer therfore, and if it be a murder, the Lord shalbe punished at the Kings pleasure. And if the Lord be not able to cut downe the vnderwood, the countrey shall helpe him. And within the h. demesne woods within Forests, and without, the waies shall be enlarged, as befoze &c. And if any Parke be neere vnto the Highway, the Lord thereof shall diminish it by the space of ii. hundredeth foot from the highway, or else to make such a wal, ditch, or hedge, that offendozs cannot go s^{or}ward or backward to any hurt. Winch. 15.El.5.

19 The occupiers of all manner of yron works whatsoever, as owners or farmers of the same by any estate of inheritance, for life, liues, or for terme of yeare or yeares, or at will, which shall at any time hereafter carrie, or cause to be carried, any coales, mine, or yron, to, or for any their works, betweene the xij. day of October, and the first day of May in any yeare, shall for euerie three loades of coale or mine: as also for euerie tunne of yron, which shalbe carried by any maner of waine or cart, between the xij. day of October, and the first day of May, by the space of one mile, through any highway within the said Wildes of Suffex, Surrey, Kent, or any of them, shall pay, or cause to be paid vnto the Iustices of peace dwelling neere vnto the places in the Countie, where the Highwaies shall be most annoyed, or his assignee, the summe of iij. s. the same to be leuyed, after default of paiement thereof, by such J. of P. or assignee, by way of distresse of any of the goods and chattels remaining in the said Countie, of such person, as so should haue paid such summe. 39.El.19.

20 Every person and persons, occupier of yron works, as aforesaid, which shal at any time hereafter carry, or cause to be carried any coales, mine, or yron, to, or for any their yron works, betweene the first day of May, and the xij. day of October in any yeare, for euerie thirtie loades of coales & mine, or either of them, and for euerie ten tunnes of yron, to be carried as aforesaid, one load of sinder, grauell, stone, or chalke, meet for the repairing & amending of the said highwaies, as aforesaid, to be laid & imploied in such place & places of the highwaies, as by any J. of the Peace of any the Counties aforesaid, dwelling nare vnto the places, where the said highwaies within the limits aforesaid shalbe most annoyed, by any of the meanes aforesaid according to the greater & moze present necessity, shall be appointed & assigned, or els pay, or cause to be paid, for and in allowance of every cart load, in maner and s^{or}me aforesaid, to haue bin so carried & laid iij. s. within 8. daies after the demand thereof

thereof, at any such yron worke made, to or from which yron worke any such carriage shall be, to the hand of the said Ju. of peace or his assignes, the same to be leuied after default of payment vpon the demaund thereof from time to time by way of distresse. 39. El. 19.

Leuied by
distresse.

21 If such J. of Peace by reason of absence, or other occasion, do not, or shall not within xl. daies next after the said first day of May, verely assigne & appoint, where & in what place of the Highwaies the said sinder, grauell, stone, or chalke, to be caried as aforesaid, or where or how the money thereof due, or so paid, shall be employed & bestowed: Then the same sinder, grauell, stone, or chalk, shall be laied & imploied by such person or persons, as by this act are to cary and lay the same, or to cause the same to be caried & laid in such place and places of the highwaies, as the surueyors within the parish for the time being, where the Highwaies shall be most annoied as aforesaid, shall assigne, or appoint, or in default thereof, pay to the said Surueyors for every such load due & vncaried, iij. s. in maner and forme aforesaid, vpon pain of for. of y. s. for every load of sinder, grauell, stone, or chalke, not caried, laid, and imploied in the Highwaies, or iij. s. vnpaid, as aforesaid, to be for. & paid by the person and persons, which by this act ought to cary and lay, or cause to be caried and laid, the sinder, grauell, stone, or chalke, or therfore to haue paid, as is aforesaid, after due conuiction and presentment, thereof had befoze the J. of Oyer & terminer, or J. of Peace, in any of their open Sessions or Sessions, to be holden befoze them, or any of them. 39. Eliz. 19.

In what place
of the High-
waies the
stone or gra-
uell shall be laid,
& by whose ap-
pointment.

Forfeit p. s.
load.

22 All which summe and summes of money to be forfeited, by reason of this act, for, or in default of carriage or laying of the said sinder, grauell, stone, or chalke, or payment thereof as aforesaid, shall be likewise bestowed and employed vpon the amendment and repairing of the Highwaies, at, and by the discretion of any such Justice of Peace, as shall dwell and be resident next vnto the place and places, being most annoied by the carriages aforesaid, the same to be leuied by way of distresse, by any Constable, Litheringman, Headborough, or other Officer thereunto to be assigned, by warrant made in open Sessions by any Clerke of the peace of the County, where any the offence or offences aforesaid shall be committed, or by any two Justices of peace, whereof one to be of the Quorum, which were present at the Sessions, wherein the said conuiction, of, or for any the offences aforesaid shall be had: And if no sufficient distresse can be found by the said Officer appointed to leuie the same, or if the said offender do not pay the same, within twentie daies after a lawfull demaund of the same, by the said officer to be appointed for the leuying thereof, as aforesaid: then every person so denying or refusing, and not paying the same forfeiture, within xx. daies aforesaid, to forfeit the double summe he should befoze haue paid, to be leuied by such waies and meanes, as to any two of the Justices of the peace of the same County, where the said offence shall be committed, whereof one to be of the Quorum, shall be thought most meet: The same forfeiture to be likewise imploied vpon the amendment of the Highwaies, as the other forfeiture should haue bin, if the same had bin leuied, according to the true intent and meaning of this statute. 39. El. 19.

How the for.
shall be implo-
ed.

If no distresse
can be found,
or the offender
do not pay.

23 The Surueyor and Surueyors from time to time, for the time being, within the parish where the Highwaies shall be most annoied, vpon default of the said Justices as aforesaid, within xx. daies after such default of J. of peace, as aforesaid, shall assigne or appoint, where, and in what place of the Highwaies, the said sinder, grauell, stone, or chalke, or the for. of money to be bestowed, shall be caried and laid as aforesaid, and vpon pain of for. of every such Surueyor or Surueyors, for every such default xl. s. And the said Surueyors shall make demaund according to the limitation of this present Act, of all & every such for. and summes of money limited to be paid in default of such carriages as aforesaid, vpon paine to for. for every such

In default of
the Just the
surueyors shall
appoint where
the grauel shall
be laid.

The Suruey-
ors forfeiture.

For

default

Highwaies. Holy daies, and Fasting daies.

default xl.s. And shall also make presentment of every such default of cariage, or payment, contrarie to the tenor of this present act, at the next Qu. Session to be holden for the said County, where such default of cariage and payment shall be, upon pain to forfeit. for every such default of presentment as aforesaid xl.s. The one moiety of all such forfeiture and forfeitures to be to the Q. the other moiety to be to the J. to be recovered by A. B. P. J. in any of the Quens Courts of Record, wherein no

- 1 For the reparaire of Highwaies at the end of Bridges 7.
- 2 Iustices of peace may inquire of, and present Highwaies not repaired. S. Iust. of peace 69.
- 3 For altering of Highwaies in the wild of Kent. S. 14. H. 8. 6.
- 4 For altering of Highwaies in Sussex. S. 26. H. 8. 7.
- 5 For the reparaire of Huntington lane neere Chester. S. 37. H. 8. 3.
- 6 For the reparaire of the Highway betweene Shaltesburie and Shirborne. S. 1. Mar. 5.
- 7 For the reparaire of the Highway betweene Bristowe and Gloucester. S. 1. Mar. 6.
- 8 For the reparaire of Highwaies neere vnto Oxford. S. 18. Elizabeth. 19. 35. Elizab. 7.
- 9 For the reparaire of the Way to Kings Ferrie in Kent. S. 18. Elizabeth. 9. 27. Elizab. 6.
- 10 For the reparaire of the Highway leading from Nonfuch to Kingston. S. 3. Iac. 19.

Holy daies, and Fasting daies.

which onely
shall be Holy
daies.

All the daies hereafter mentioned, shall be kept, and commanded to be kept holy daies, and none other, That is to say, all Sundaes in the yeare, The daies of the feasts of the Circumcision of our Lord Jesus Christ, of the Epiphanie, of the Purification of the blessed Virgin, Of S. Mathie the Apostle, Of the Annunciation of the blessed Virgin, Of S. Marke the Euangelist, of S. Philip and Jacob the Apostles, Of the Ascension of our Lord Jesus Christ, of the Nativity of S. J. Baptist, Of S. Peter the Apostle, Of S. James the Apostle, Of S. Bartholme the Apostle, Of S. Mathew the Apostle, Of S. Mich. the Archangell, Of S. Luke the Euangelist, Of S. Simon and Jude the Apostles, Of all Saints, Of S. Andrew the Apostle, Of S. Thomas the Apostle, Of the Nativity of our Lord, Of S. Stephen the Martyr, Of S. J. the Euangelist, Of the holy Innocents, Monday and Tuesday in Easter weeke, and Monday and Tuesday in Whitson weeke: and none other day shall be kept and commanded to be kept holy day, or to abstain from lawfull bodily labour. 5. & 6. Ed. 6. 3.

Fasting daies

1 Every Euen, or day next going before any of the foresaid daies of the feasts of the Nativity of our Lord, of Easter, of the Ascension of our Lord, Pentecost, of the Purification, and the Annunciation of the aforesaid blessed Virgin, Of all Saints, and of all the said feasts of the Apostles (other then of S. Jo. the Euangelist, and Philip and Jacob) shall be fasted and commanded so to be kept and observed, and none other euen or day shall be commaunded to be fasted. 5. & 6. Ed. 6. 3. S. Fishdaies 1. &c.

Punishment by
censure of the
Church.

3 It shall be lawfull to all Archbishops and Bishops, in their Dioces, and to all other hauing Ecclesiasticall or Spirituall iurisdiction, to enquire of every person that shall offend in the premises, and to punish every such offender by the censure of the church, & to enioine him or them such penance, as shall be to the Spiritual Iudge, by his discretion thought meete and conuenient. 5. & 6. E. 6. 3.

4 This Act shall not extende to abrogat or take away the abstinence from flesh in Lent, or on Fridayes or Saturdayes, or any other daie which is already appointed so to be kept (by the Stat. made 2. & 3. Ed. 6. 19. viz. Embizing daies, or in any other day used commonly as a fish day within this Realme, saving S. Lawrence Even, or S. Markes day) except only of those evens or daies, whereof the holy day next following is abrogated by this Statute. Any thing above mentioned to the contrary notwithstanding. 5. & 6. Ed. 6. 1.

which be
fasting daies
from flesh.

5 When and so often as it shall chance any of the said feasts (the evens whereof be by this Stat. commanded to be kept fasting day) to fall upon the Sunday: then, as it alwaies hath bin accustomed heretofore used, so hereafter the Saturday next, going befoze such feast, or holy day, and not the Sunday, shall be commanded to be fasted for the even of any such feast, or holy day: Any thing in this Statute declared &c. notwithstanding. 5. & 6. Ed. 6. 3.

Sunday holy
day, Saturday
day fast.

6 Provided alwaies, that it shall be lawfull to every husbandman, labourer, or Hereman, and to all and every other person and persons, of what estate, degree, or condition he or they be, upon the holy daies aforesaid in harvest, or at any other times of the yeare, when necessitie shall require, to labour, ride, fish, or worke any kind of worke at their free wills and pleasures: Any thing in this act &c. notwithstanding. 5. & 6. Ed. 6. 3.

working on
holy daies.

7 Provided alwaies, that it shall be lawfull to the knights of the Garter, and to every of them, to keepe and to celebrate solemnly the feast of their order (commonly called S. Georges feast) yerely the xxij. xxiij. and xxiiij. daies of Aprill, & at such order, time, and times, as yearely shall be thought convenient by the King his heires, or successors, and the said knights of the said order: any thing heretofore mentioned &c. notwithstanding. 5. & 6. Ed. 6. 3. Qu. whether this Stat. be in force or not, for it was repealed 1. M. 2. and that Statute of repeale was repealed. 1. Jac. 2. 5.

Knights of
the Garter.

1 Yerely Morning Prayer shall be said vpon the fift day of Nouember Anñ 3. Iacobi 1.

Homage and Fealtie.

N person shall pay in the King's Exchequer, or any other Courts for the respite of Homage, of, or for any manors, lands, tenements, or hereditaments, whereof the cleere perely value exceedeth not v. l. above viij. s. and for the entring thereof, and warrant of Attorney, above iij. s. 3. H. 8. 2. 2. S. Exchequer 5. 13.

Respite of
homage.

2 When a freeman shall doe homage to his Lord of whom he holdeth in fee, he shall hold his hands together betweene the hands of his Lord, and shall say thus, I become your man from this time forthward, for life, for member, and for worldly honour, and shall owe you my faith, for the lands that I hold of you, saving the faith that I doe owe to our Soueraigne Lord the King, and to mine other Lords. 17. Ed. 2.

The forme of
a freemans
homage.

3 When a freeman shall do fealtie to his Lord, he shall hold his right hand vpon a booke, and shall say thus, Heare you my Lord King that I B. shall be to you both faithful and true, and shall owe my fidelitie vnto you, for the land that I hold of you, and lawfully shall doe such customes and seruices, as my duty is to you at the termes assigned, so helpe me God &c. 17. Ed. 2.

A freemans
fealtie.

4 When a villaine shall do fealtie to his Lord, he shall hold his right hand vpon the booke, and say thus, Heare you my Lord A. that I B. from this time forth vnto you shall be true and faithful, and shall owe you fealtie for the land that I hold of you in villenage, and shall be iustified by you in body and goods, so helpe me God &c. 17. Edw. 2.

A villaines
fealtie.

5 If the heire of any which holdeth his lands of his Lord by Knights service, be

Ex g

within

Hoppes. Hornes, and Horners.

The Lord
shall not haue
wardship, but
till he hath ta-
ken Homage.

within age, his Lord shall not haue the ward of him, nor of his land, before he hath taken of him homage, Mag. Chrt. 9. H. 3. 3.

Hoppes.

Bringing in-
to this realme
corrupt hops.

If any Forreiner, Stranger, native English man, Denizen, Merchant, or any other person or persons whatsoever, doe bring, or cause to be brought into this Realme of England, out from any other forreine Realme or Dominions, from beyond the Seas, any Hoppes being deceitfully or corruptly uncleane, corrupt, or mixt with any powder, dust, sand, or other soyle whatsoever, Every person offending therein contrarie to this act, shall forfeit the same Hoppes so brought into this realme. 1. Iac. 1. 8.

Brewing
with corrupt
hops drink to
be sold.

2 If any Brewer of Beere or Ale, or any other person, which shall buy the same Hoppes, so brought from beyond the Seas, or growing within this Realm, and shall imploy and spend the same about the making or brewing of Beere or Ale to be sold, being uncleane, corrupt, or mixt with powder, dust, drosse, sand, or any other soyle whatsoever: Every person so offending therein, contrary to the intent of this Act, shall in like sort forfeit for the same offence the value of those Hoppes so bought, imployed, or spent in brewing. The one moitie of all which sort shall be to the King, his heires, and successours, the other moitie to him or them that will seize the same, or sue for the same by B. P. J. or A. of debt, in any of the Kings Courts of Record, where, in on C. P. W. &c. shall be allowed. 1. Iac. 1. 8. To continue to the end of the first Session of the next Parliament.

Hornes, and Horners.

Strangers
that buy no
English hornes
in London
brought.

NO Stranger nor Alien by himself or any other, shall buy any English Hornes, brought, of any Tanners, Butchers, or of any other persons, gathered or growing within the Citie of London, and foure & twentie miles on every side of the said Citie next adioyning: And no person or persons whatsoever shall sell any English Hornes brought, to any stranger, or send any English Hornes brought on the Sea, contrarie to the true meaning of this Act, upon paine of forfeiture of double the value of the Hornes so by him or them, so sold or sent, the same forfeiture to be recovered by him or them that will sue for the same, by Action, Bill, Plaint, or Information, in any of the Kings Courts of Record: the one moitie to be to the King, his heires and successours, and the other to him or them that will sue for the same, wherein no P. P. or W. to be admitted for the defendant. 4 E. 4. 8. 7. Iac. 1. 4.

After English
men haue cho-
sen strangers
may buy the
residue.

2 Provided alwaies, that after men of the said occupation of this land haue taken out and chosen, such and as many Hornes, as shall be needefull to their occupation: That then it shall be lawfull to them all and every of them, and other persons of this Realme of England to sell and deliuer all the Hornes refused, which be not able to be occupied in their myserie to any stranger or other person to send or carrie beyond Sea, or elsewhere as shall please them. 4. E. 4. 8. 7. Iac. 1. 4.

The Wardens
of Horners
may search for
insufficient
ware.

3 The Wardens of the said myserie of Horners for the being shall haue full power to search all maner of Ware pertaining to their myserie, brought or to be brought in all places within the said Citie of London, and foure and twentie miles on euery side next adioyning to the said Citie, in whose hands they may be found: and if they by their search find any such Ware or stuffe in any place within the said Citie of London, and foure and twentie miles next adioyning to the same Citie, in whose hands soeuer they be to sell, that is defe-

ctive

ctive and insufficient, it shall be lawful to them to take the same Ware and Stufte, and bzing it before the Maior of the said Citie of London for the time being, and the same there being proved to be defectiue, to be forfeit, the one halfe thereof to our Lord the King, and the other halfe thereof to the said Wardens to be ordered at their pleasures. 4 E. 4. 8. 7. Iac. 4. 1.

Horses, Mares.

Every person, as well Spirituall as Tempozall, hauing any Parke or Ground inclosed with hedge, ditch, wall, or pale, in his owne hand, wherein any Deere is usually kept for Game, containing the quantitie of one mile in compasse, and is thereof seised on fee simple, fee taile, or for terme of life, in possession to his owne behoofe, And every farmer of every such Parke and ground, being letten to farme, shall keepe for every such Parke or ground inclosed, so long as the same shall be bled or kept with Deere in the same for Game, two Mares being not splayed, apt and able to beare foales, each of them of the hight of thirteene handfuls at the least, to be measured from the lowest part of the hooft of the foze foot, vpon the highest part of the shoulder, and every handfull to containe iiij. ynches of the Standard. And every owner or farmer of a Parke which is iiii. miles in compasse, or aboue, shall keepe iiij. such Mares or. vpon paine of xij. s. for every moneth lacking the said Mares, to the B. and J. to be recovered by A. J. or. wherein on W. or. C. P. or. But if any of the said Mares shall die by casualtie, and the owner doe provide another of the foresaid hight within thre moneths next after the death thereof, he shall not incur the penaltie of this Stat. This Stat. shall not charge the owners of any parkes, or grounds inclosed, lying in Westmerland, Cumberland, Northumberland, or the Bishoprick of Durham, to keepe any Mares. Neither shall it charge any other person, the herbage of whose parke or. is common to the inhabitants of the Townes next adioyning. 27. H. 8. 6.

Owners and farmers of Parkes charged to keepe Mares.

2 If any Lord, owner, or farmer of any parke or ground inclosed, appointed by this Act to keepe Mares, will willingly suffer any Mare to be covered with any little horse or nagge of smale stature or value, he shall forfeit xl. s. to the B. and J. to be recovered by A. J. or. wherein no W. or. C. P. or. 27. H. 8. 6.

Mares shall not be covered with turs.

3 Whosoever doth put to pasture, into, or vpon any Forest, Chase, Moor, Parish, Heath, Common, or wast ground, any stoned horse, being aboue the age of two yeares, and not being of the hight of fiftene handfuls, to be measured from the lowest part of the hooft of the foze foote, vnto the highest part of the wythers, (and every handfull to containe foure ynches of the Standard) to pasture, feed, or be, in, or vpon any of the said Forests, Chases, Commons, or. within any of the shires and territories of Dorset, Suffolk, Cambridge, Buck. Hunt. Essex, Kent, Southamptonshire, North Wilshire, Dorset, Wark. Worcester, Gloucester, Somerset, Northwales, Southwales, Bedford, Warwike, Northampton, Northshire, Cheshire, Stafford, the county of the citie of Northampton, the towne and liberties of Gloucester, the County of the towne of Kingston vpon Hull, the Countie Palantine of Lancaster, the County of Salop, Leicester, Hereford, Lincoln (except it be vpon any of the Parish, or beggie fennie grounds within the Counties of Cambridge, Huntingdon, Northampton, Lincoln, Northfolke, Suffolk, or within the Isle of Cyp) shall forfeit the said horse. And whosoever doth put to pasture vpon any of the foresaid Parishes, or beggie fennie grounds, in the said last excepted shires or places, any stoned horse aboue the age of two yeares, not being of iiij. handfuls high, to be measured in form aforesaid, shall forfeit the said horse. 8. Eliz. 8. 32. H. 8. 17.

The hight of horses feeding vpon the common.

4 Whosoever doth put to pasture any stoned horse aboue the age of y. yeares, not being

xx iiij

Horses, Mares.

The hight of
horses feeding
upon the com-
mon in all o-
ther shires.

Horses breed-
ing forth, or
put where no
mares be.

Seizure and
measuring of
a horse not of
lawfull hight.

Refusing to
measure a
horse not of
lawfull height.

Drifts of fo-
rests, commons,
heathes.

Unlawfully kille
the be killed.

Infected
horses.

Keeping of
horses by crea-
son of degree
or living.

being ritt, handfals high, to be measured in fozm asforesaid, upon any fozeff, chafe, moze, marish, heath, wast, or common, being within any other shire of this realme, then is first before specified, shall foze the same horse: But no person shall be pzeiudiced by this stat. foze the hauing or putting any horse to feeding vnder the hights asforesaid, upon any common or wast ground, where Mares or Fillies are not used or suffered to be kept. And foze any stoned horse of his which shall once in a yere escape or break out of his feuerall ground against his wil, into any fozeff, chafe, common, &c. so that the said horse doth not remaine there iij. daies next after sufficient and open notice giuen at his house, or publication made on a Sunday or festiuall day in the parish church where he dwelleth. 32. H. 8. 13.

5 Whosoever findeth any horse in any fozeff, chafe, common, moze, marish, heath, or wast ground, contrary to this statute, shall go vnto the keeper of the fozeff, chafe, &c. or his deputy, or to the constable, bailife, headborough, boroughholder, or tithingman of any towne next adioynning vnto the place where the said horse is, and command or require him in the li. behalfe, to go with him to bring such horse there feeding to the next pound, and there the horse shall be measured by the officer, in the pzeence of ij. other honest men by the said officer appointed, & if it be found, that the said horse is contrary to this stat. then he that doth so challenge and seise him, may take and retaine him to his owne vse, as his owne goods and cattels foze ever, without veration, suit, or trouble of the owner, or of any other person. 32. H. 8. 13.

6 If any of the said keepers, Deputies, Bailifes, Constables, Boroughholders, or Tithingmen, or thzee persons requested to be at the measuring of the said horse, doe refuse to doe as asforesaid, or doe not truly measure such horse, then euerie of them refusing to doe, or not doing his duetie therein, shall fozefeit xl. s. to the King and in fozmer, to be recovered by A. J. &c. wherein no W. &c. C. D. &c. 32. H. 8. 13.

7 If the Lords, owners, or possessors of fozeffs and chafes, or their officers, or the Constables, Headboroughs, Bailifs, Boroughholders, and Tithingmen, within whose offices, pzeincts, and limits, the commons, moozes, maresches, heathes, and wast grounds, being out of fozeffs and chafes, do lie, do not yerely at the feast of S. Michael the Archangel, or within xij. daies after, effectually dzive the said fozeffs, chafes, commons, moozes, &c. the said officers, &c. bailifes, constables, headboroughs, &c. shall foze. foze every time the said dzift shall be omitted xl. s. to the li. and J. &c. And it is lawfull foze the said Lords, owners, &c. and foze the said Constables, Bailifs, &c. within the limits of their offices, to make like dzift of the said fozeffs, chafes, commons, moozes, marishes, heaths, & wast grounds, at any other time of the yere, when and as often as they shall thinke meet. 32. H. 8. 13.

8 If in any of the said dzifts there shall be found any Mare, Fillie, Fole, or Gelding, that shall be thought not able, or like to grow able to beare Foles of a reasonable stature, or not able, or like to grow able to do profitable labours, by the discretio of the dzivers, or the moze number of them, the same dzivers shall cause the same beafts to be killed, and the bodies to be buried, or otherwise to be bestowed where no annoyance shall grow. 32. H. 8. 13.

9 Whosoever shall haue, or put to pasture, any Horse, Gelding, or Mare, infected with scab or mange, into, or upon any fozeffs, chafes, moozes, marishes, heaths, commons, wast grounds, or common fields, shall foze. foze every Horse, Gelding, or Mare so infected, x. s. to the Lord of the Leet where the offence shall be pzeferred. 32. H. 8. 13. S. Inst. of Peace 47.

10 Every Archbishop and Duke of this Realm, shall haue, keepe, & maintaine, of their owne proper Horses, and at their owne costs, seuen stoned trotting horses foze the Saddle (being neither Cart nor Sumpter horses) euerie of the same horses to be thzee yeres old and upward, and in hight ritt, handfals (reckoning to euerie handfull

handfull foure piches of the Standard) to be measured from the nether part of the haire of the hooſe, vnto the bypper part of the wider ſons oꝝ ſhoulders. Euery Parqueſſe and Carle; and euery Biſhop, whoſe Biſhopricke is of the yearely value of a thouſand pounds oꝝ aboue, ſhall find and maintaine ſine ſtoned trotting hozſes foꝝ the ſaddle, of the age and height afozeſaid &c. Euery Biſhop whoſe Biſhopricke is of the yearely value of a thouſand markes, oꝝ aboue, And euery Vicount and Baron hauing lands, tenements, fees, annuities oꝝ offices, foꝝ terme of his life, to the cleere yearely value of a thouſand markes, oꝝ aboue, ſhall find and maintaine thꝛee ſtoned trotting hozſes &c. And euery other Biſhop, Vicount and Baron, not befoze mentioned, and alſo euery other Spirituall perſon hauing Benefices oꝝ promotions, to the yearely value of v. hundred markes, and euery tempoꝛall perſon hauing lands, tenements, fees, annuities oꝝ offices, foꝝ terme of life, in his owne right oꝝ in his wiues, to the yearely value of 600. markes, ſhall keep and maintain two ſtoned trotting hozſes foꝝ the ſaddle, vpon paine that euery perſon afozeſaid, lacking the number of the ſaid hozſes to him limited, ſhall foꝝ. foꝝ euery hozſe ſo lacking by the ſpace of thꝛee moneths xx. l. to the R. and 3. to be recouered by A. 3. &c. wherein no W. &c. C. P. &c. 33. H. 8. 5.

11 Euery other Spirituall perſon vnder the degꝛe of a Biſhop, hauing Benefices, oꝝ promotions to the clere yearely value of one hundred pounds oꝝ aboue, and not to the yearely value of ſine hundred markes, and euery other perſon Tempoꝛall, not befoze mentioned, whole wiſe (being not diuozced, noꝝ willingly abſenting her ſelfe from him) doth weare any Coloure oꝝ Petticote of ſilke, oꝝ any Meluet in her kirtle, oꝝ in the lpyning oꝝ other part of her gowne (other then in the coſſes oꝝ purſes) oꝝ any French hood, oꝝ Bonet of Meluet which any habiliment, paſſe, oꝝ edge of gold, pearle oꝝ ſtone, oꝝ any chaine of gold about her necke, oꝝ in her Bartlet, oꝝ in any apparell of her body, ſhall haue, keepe and maintaine, as is afozeſaid, one ſtoned trotting hozſe foꝝ the ſaddle, vpon paine of foꝛfeiture foꝝ euery time that any of them ſhall want by the ſpace of thꝛee moneths one ſtoned trotting hozſe, of the age and height afozeſaid, x. l. to the R. and 3. to be recouered by A. 3. &c. wherein no W. &c. But heires within age being Wardes, whole lands, tenements and hereditaments amount to the yearely value of two hundred pounds, ſhall not be compelled by this Act, vntill they come to their full age, to keepe any hozſes, although their wiues weare any gowne of ſilke, oꝝ any French hood, oꝝ Bonet of Meluet with any habiliment, paſſe, oꝝ edge of gold, pearle oꝝ ſtone, oꝝ any chaine of gold about their neckes in their partlets, oꝝ in any apparell of their bodies. 33. H. 8. 5. S. 4. & 5. P. & M. 2. & Q. whether this be repealed.

12 If the ſonne and heire apparant of any Duke, Marques, Carle, Vicount, oꝝ Baron, oꝝ of any other perſon hauing lands &c. to the yearely value of ſine hundred marks, oꝝ aboue, hath lands, tenements, hereditaments, fees, offices oꝝ annuities foꝝ terme of life, in his owne right oꝝ in his wiues, to the clere yearely value of ſine hundred markes, then he ſhall keepe and maintaine one trotting ſtoned hozſe foꝝ the ſaddle, in ſozme afozeſaid, vpon paine of foꝛf. of xx. l. foꝝ euery thꝛee moneths that he ſhall want the ſame hozſe. But no ſuch ſonne and heire is compellable by foꝛce of this Act, to find oꝝ keepe any hozſe in the life of his father, except hee hath lands, tenements, annuities, fees, oꝝ offices, to the ſaid yearely value of ſine hundred markes. And euery Sherife in any ſhire within this Realm, ſhall do his diligence & good endeuoꝝ to ſearch & know by vertue of his office all defaults done oꝝ committed by any perſon oꝝ perſons in lacking of hozſes contrarie to this Act, as ſhall happen within the ſhire where he is Sherife, and ſhall once in the yeare, viz. in the terme of S. Michael, certifie the ſaid defaults (if any be) into the Exchequer, by writing vnder his ſeale, to the intent that pꝛoces may bee made againſt the offenders accordingly. And euery ſuch certifiat of the Sherife ſhalbe of as good foꝛce & effect

Keeping of
hozſe by re-
ſon of the
wiues appa-
rell.

The ſonne &
heire of a No-
bleman.

Inquie and
certifiat by
the Sherife.

Horses, Mares.

effect against the offenders, as any Information thereof made in the said Exchequer. And in case any shall be convicted upon such certificates by confession or trial by course of the Law: then the Sherife making such certificate, shall have one moiety of the forfeiture, and the King the other moiety. Provided alwayes, That no person shall be impeached, molested, or troubled for any offence done contrary to this act, by A. B. J. P. or certificate of the Sherife, unless the same A. B. J. P. or certificate be made or had within one yeare next after the offence done contrary to this act. 33. H. 8. 5. S. Iustices of Peace 48.

If the horse
be killed in the
K. service.

13 If anie of the foresaid Horses happen to be killed, maimed, or lost in the Kings service, then the owner is at libertie at anie time by the space of two yeares next after such chaunce, to provide other in their stead, without any penaltie. 35. H. 8. 5.

Transporting
of horses into
forreine Re-
gions.

14 If anie person do sell, exchange, give, convey, or deliver into the Realme of Scotland, to the use of any Scottish man, or into any place beyond the sea, out of this Realme, or the dominions of the same, anie horse, gelding, or mare, without speciall licence thereto obtained of the King, or of his heires, under the great seale or privie signet: Or if any person do sell, exchange, give or deliver to anie Scottish man within this Realme of England, or Wales, the towne of Warwicke, or the marches of the same, to the intent to be conveyed into Scotland, any horse, gelding or mare, or doe convey or carrie any horse, gelding, or mare, into anie forreine parts beyond the sea, without like speciall licence obtained of the king, or of his heires, under the great seale, or privie signet: then the same person shall forfeit to our Soueraigne Lord and his heires, the same horse, gelding, or mare, so carried or conveyed, and shall also lose forty pounds for everie such horse, gelding, or mare, so conveyed, to the king and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. And also every person so offending, shall suffer imprisonment by the space of one whole yeare. And it shall be lawfull to everie person being the kings subiect, to arrest and imprison every Scottish man, and every other person which shall lead or convey contrary to the meaning of this act, any such horse, gelding or mare, out of this Realme into Scotland, or into any other forreine place beyond the sea, other then such persons as shall have sufficient warrant from the king, or his heires, under his or their great seale, or privie signet. But this Act shall not extend to anie person which shall convey any horse, mare, or gelding, into Scotland, or into forreine parts beyond the sea, to serve the king in his warres with the same. 1. Edw. 6. 5. 5. Eliz. 19.

Licences to
transport hor-
ses, & licences
to give licence

15 But if the king, his heires or successors, under his great seale, or privie signet, doe give licence to any person or persons, to carie anie horses, mares, or geldings into Scotland, or into anie other parts beyond the sea, or else doe give authoritie or commandement to any person or persons by warrant under the great seale, to licence any other person or persons to carrie or convey any horses, mares, or geldings into Scotland, or into anie parts beyond the sea: Then it shall be lawfull as well to all persons having such licence under the kings great seale, or privie signet, as to everie other person having licence in writing under the seale of such person or persons, to whom the king shall give authoritie or commandement in forme abovesaid, to licence other to carrie or convey such number of horses, geldings or mares or anie of them into Scotland, or into anie of the parts beyond the sea, as shall be mentioned in any such licences. 1. Edw. 6. 5. 5. Eliz. 19.

Licence shew-
ed to the War-
dens of the
marches.

16 Every such person which shall be licenced according to this Act, to carrie or convey any horses, mares or geldings, into Scotland, shall before the same carriage or conveyance, upon the paine of forfe. of the said horse, &c. or the double value thereof to the king and J. &c. shew his said licence to one of the three War-
dens

dens of the three Marches of England, to the intent that one of the said Wardens shall cause the number of the said horses, &c. so licenced to be conveyed into Scotland, not onely to be kalendred in a Booke, to remaine in his owne custodie, but also to be indorsed and twitten on the backside of the said licence, and the same indorsement to be signed with the hand of the said Warden. 1. Edw. 6. 5. 5. Eliz. 19.

17 But this Act shall not be prejudiciall to the Passer of the Kings horses, for such things and commodities as shall concerne his office. And notwithstanding this Act, the Warden of the fine Ports may yearly at his pleasure giue six horses or geldings (and no more within one yeare, at one or diuers times, vpon like paine as aforesaid) to any person or persons in the parts beyond the seas, being in amitie with the K. or his successors. And it shall be lawfull to any of the K. subjects, to cary or send into any parts beyond the sea, any Mares, wherof the price of any one mare so to be caried, doth not exceede x. s. in such maner as Mares being of the prices of vij. s. viij. d. bin or might haue bin conveyed ouer the seas befoze the making of this act (viz per stat. 11. H. 7. 13.) any thing in this Act, or any other Act &c. notwithstanding. 1. Ed. 6. 5. 5. El. 19.

warden of the fine Ports.

Mares of x. s. price may be transported.

1 Concerning selling of Horses, appointing a place, and paying toll for them in a Faire or Market, S. Faires 4. 5. 6. 7. 8.

2 Neither the Horse-stealer, nor the accessorie before or after, shall haue his clergie. S. Clergie 13.

3 It is felonie to sell, exchange, or deliuer in Scotland, or the batable ground, any Horse, Gelding, &c. S. Felonie.

Hospitals, and Charitable vses.

The Hospitals which be of the patronage and foundation of the King, the Ordinaries by vertue of the K. Commissions, to them directed, shall enquire of the maner, and of the foundation of the said Hospitals, & of the gouernance and estate of the same, and of all other matters necessarie and requisite in this behalfe, and the inquisitions thereof taken, shall certifie in the Chaucerie. And as to other Hospitals, which be of another foundation and patronage then of the K. the Ordinaries shall enquire of the maner of the foundation, estate, & gouernance of the same, and of all other matters & things necessarie in this behalfe: and vpon that make there of correction and refozmation after the lawes of holy Church as to them belongeth. Anno 2. H. 5. 1.

2 All and euery person and persons, seised of an estate in fee simple, their heirs, executors, or assignes, at his or their wills and pleasure, shall haue full power, strength, licence, and lawfull authoritie, at any time during the space of xx. yeares next ensuing, by deed inrolled in the high Court of Chaucerie, to erect, found, and establish one or more Hospitals, Measons de dieu, abiding places, or houses of correction, at his or their will and pleasure, as well for the finding, sustentation, and reliefe of the maimed, pooze, needy or impotent people, as to set the pooze to worke, to haue continuance for euer, and from time to time to place therein such head and members, and such number of pooze, as to him, his heirs and assignes, shall seeme conuenient: And the same Hospitals, or houses so founded, shall be incorporated & haue perpetuall successions for euer, in fact, deed, and name, and of such head, members, and numbers of pooze, needy, maimed, or impotent people, as shall be appointed, assigned, limited, or named by the founder or founders, his or their heirs, executors or assignes, by any such deed inrolled: And such Hospitall, Meason de dieu, abiding place, or house of correction, and the persons therein placed, shall be incorporated, named, and called by such name, as the said founder or founders, his heirs, executors,

It shall be lawfull for any person to erect a Hospital, or house of correction.

Incorporation by the founder

named by the founder.

Hospitals, and charitable uses.

Abodie corpo-
rat & politike.

Purchase
goods oꝝ
lands.
200. pounds
by the yeare.

Lands not
holdē in chiefe
oꝝ by knights
seruice.

In Hospitall
may sue and
be sued.

In Hospitall
shall haue a
comon Seale.

The ordering
directing, visi-
ting, placing
and remouing

The statutes
& ordinances
of the founder

The founder
may place the
head oꝝ member

Leases made
by hospitals.

Others right
saued.

executoꝝ, oꝝ assignes, shall so limit, assigne, and appoint: And the same Hospitall, Meason de dieu, abiding place, oꝝ house of correction, so incorpored and named, shall be a bodie corporat and politike, and shall by that name of Incorporation, haue full power, authoritie, and lawfull capacitie and abilitie to purchase, take, hold, receiue, enioy, and haue to them and to their successoꝝs for ever, as well goods and chattels, as manors, lands, tenements, and hereditaments, being freehold of anie person oꝝ persons whatsoeuer: so that the same exceed not the yearely value of two hundred pounds aboue all charges and reppises, to anie such one abiding house, Hospitall, Meason de dieu, oꝝ house of correction: And so as the same oꝝ anie part thereof be not holden of our Soueraigne Lady the Queen, her heires oꝝ successoꝝs, immediatly in chiefe, oꝝ else of our said Soueraigne Lady the Queene, oꝝ any other person by knights seruice, without licence oꝝ writ of Ad quod damnum, oꝝ the Statute of Mortmaine, oꝝ any other Statute oꝝ law to the contrary notwithstanding. 39. Eliz. 5.

3 And the same Hospitall, Meason de dieu, abiding place, oꝝ house of correction, and the persons so being incorpored, founded & named, shall haue full power and lawfull authoritie by the true name of the incorporation therof, to sue & to be sued, implead, and to be impleaded, to answer, and to be answered vnto, in all maner of courts and places that now are, oꝝ hereafter shall be within this realm, as wel temporall as spirituall, in all maner of suits whatsoeuer, and of what nature and kind soeuer such suits oꝝ actions be oꝝ shall be. 39. El. 5.

4 And the same Hospitall, Meason de dieu, abiding place, oꝝ house of correction, shall haue and enioy for ever such a common seale oꝝ seales, as by the said founder oꝝ founders, his, oꝝ their heires, executoꝝs, oꝝ assignes, shall be in writing vnder his oꝝ their hand and seale assigned, named, oꝝ appointed: whereby the same incorporation shall oꝝ may seale any manner of instrument, touching the same incorporation, and the lands, tenements, hereditaments, goods oꝝ other things thereto belonging, oꝝ in any wise touching oꝝ concerning the same. And further shall be ordered, directed & disted, placed, oꝝ vpon iust cause displaced by such person oꝝ persons, bodie politike oꝝ corporat, their heires, successoꝝs oꝝ assignes, as shall be nominated oꝝ assigned by the founder oꝝ founders thereof, their heires oꝝ assignes, according to such rules, statutes and ordinances as shall be set forth, made, deuised, oꝝ established by the said founder oꝝ founders, their heires oꝝ assigns, in writing vnder his oꝝ their hand and seale, not being repugnant oꝝ contrarie to the lawes and statutes of this realme: any law, statute, custome, vsage, oꝝ other thing whatsoeuer to the contrarie in any wise notwithstanding. And it shall be lawfull to the founder oꝝ founders, his and their heires oꝝ assignes, vpon the death oꝝ remouing of any head oꝝ member of any such incorporation to place one other in the room of him that dieth, oꝝ is remoued, successively for ever. 39. El. 5.

5 Provided alwaies, that all leases, grants, conueyances oꝝ estates, to be made by any incorporation, so to be founded, as aforesaid, exceeding the number of xij. yerres, and that in possession, and whereupon the accustomed yerely rent, oꝝ moze, by the greater part of xx. yeares next before the making of such lease, shall not be reserved and yearly payable, shall be void. 39. El. 5.

6 Sauing to all persons, bodie politike and corporate, their heires and successoꝝs (other then the founders and giuers, their heires and successoꝝs) all such right, title, claime, possession, rents, seruices, commons, demands, interest, and profits, which they oꝝ anie of them shall haue, oꝝ of right ought to haue, of, in, oꝝ to anie the lands, tenements, oꝝ hereditaments, hereafter to be giuen, limited, oꝝ assigned in forme aforesaid, in as ample maner, as if this Statute had neuer been had oꝝ made. 39. El. 5.

7 Provided also, that this Act, oꝝ any thing therein contained, shall not extend to

to enable any person or persons, being within age, women couert without their husbands, or of non sane memoria, to make any such copozation, or to endow the same: Any thing in this present Act to the contrarie thereof, in any wise notwithstanding. 39. Eliz. 5.

Certain persons not enabled to erect Hospitals &c.

8 Provided alwayes, that no such Hospitall, Meason de dieu, abiding place, or house of correction, shall be erected, founded, or incorpozated by force of this Act, unlessse upon the foundation or erection thereof, the same be endowed for ever with lands, tenements, or hereditaments, of the cleere yearly value of r. l. by the yeare. 39. Eliz. 5.

no land at the least.

9 Provided also, that no such incorpozation to be found by force of this act, shall at any time hereafter do, or suffer to be done, any act or thing wherby or by meanes whereof any the lands, tenements, hereditaments, stocke, goods, or chattels of such incorpozation, or any estate, interest, possession, or proprietie of or in the same, or any of them shall be bested or transferred in or to any other whatsoever, contrary to the true meaning of this act: And that such construction shall be made upon this act, as shall be most beneficiall and availeable for the maintenance of the poore, and for suppressing and avoiding of all acts and devices to be inuented, or put in vze, contrarie to the true meaning of this act. 39. Eliz. 5.

No lands or goods of an Hospitall shall be transferred to any other.

Construction of this Act.

10 Whereas lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, and stockes of money haue bene heretofore giuen, limited, appointed, and assigned, as well by the Ducene and her Progenitoz, as by sum or other wel disposed persons, some for reliefe of aged, impotent, and poore people, some for maintenance of sicke and maimed Souldiers and Mariners, Scholes of Learning, free Scholes, and Schollers in Vniuersities, some for repaire of Bridges, Ports, Hauens, Causeyes, Churches, Sea Bankes, and High-Waies, some for education and preferment of Orphanes, some for or towards reliefe, stocke, or maintenance for houses of correction, some for mariages of poore maids, some for suppoztation, aide and helpe of young tradesmen, handycrafts men, and persons decayed, and others for reliefe or redemption of prisoners or captiues, and for ayde or ease of any poore inhabitants, concerning payment of fifteenes, setting out of souldiours and other taxes: It shall and may be lawfull to and for the W. Chancelor or keeper of the great Seale of England for the time being and for the Chancelor of the Duchie of Lancaster, for the time being, for lands within the Countie Palatine of Lancaster, from time to time, to award Commissions vnder the great Seale of England, or the Seale of the Countie Palatine, as the case shall require, into all or any part or parts of this Realme respectiue, according to their seuerall Iurisdictions, as aforesaid, to the Bishop of euery seuerall Diocese, and his Chancelor (in case there shall be any Bishop of that Dioces, at the time of awarding of the same Commissions) and to other persons of good & sound behauior, authorizing them thereby, or any iiii. or moze of them, to enquire as well by the oaths of twelue lawfull men or moze of the countie, as by all other good & lawfull waies & meanes, of all and singular such gifts, limitations, assignments, and appointments aforesaid, and of the abuses, breaches of trusts, negligences, mis-employments, not employing, concealing, defrauding, mis-conuerting, or mis-gouernment of any lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money or stockes of money, heretofore giuen, limited, appointed, or assigned, or which hereafter shall be giuen, limited, appointed, or assigned, to or for any the charitable and godly vses before rehearsed. And after the said Commissioners, or any foure, or moze of them (vpon calling the parties interested in any such lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money and stockes of money) shall make enquire by the oaths of twelue men, or moze of the said Countie (wherunto the said parties interested shall and may haue, and take their lawfull challenge

Hospitall.

Commissions to enquire of the gift of lands & goods to charitable vses.

Foure Commissioners at the least.

The enquire.

Hospitals, and Charitable vses.

- challenge and challenges) and vpon such enquire, hearing and examining therof, set downe such Orders, Iudgements and Decrees, as the said lands, tenements, rents, annuities, profits, goods, chattels, money and stockes of money, may be duely and faithfully imploied to and for such of the charitable vses and intents, before rehearsed, respectiue, for which they were giuen, limited, assigned or appointed by the donors and founders thereof: Which orders, iudgements and decrees, not being contrarie or repugnant to the orders, statutes or decrees of the donors or founders, shall stand firme and good, according to the tenor and purport thereof, and shall be executed accordingly, vntill the same shall be done or altered by the Lord Chawncello of England, or Lord Keeper of the great Seale of England, or the Chawncello of the Countie Palantine of Lancaster, respectiue, within their severall iurisdiccions, vpon complaint by any partie grieved, to be made to themt.
43. Eliz. 4.
- The commissioners orders.** 11 Provided alwaies, that neither this act, nor any thing therein contained, shall in any wise extend to any lands, tenements, rents, annuities, profits, goods, chattels, money or stockes of money, giuen, limited, appointed, or assigned, or which shall be giuen, limited, appointed or assigned, to any Colledge, Hall, or House of Learning within the Universities of Oxfozd & Cambridge, or the Colledges of Welfminster, Eaton or Winchester, or any of them, or to any Cathedrall or Collegiat Church within this Realme. 43. Eliz. 4.
- The commissioners orders shall be executed.** 12 Provided also, that neither this Act shall extend to anie citie or towne corporate, or to anie the Lands or Tenements giuen to the vses aforesaid within any such citie or towne corporate, where there is a speciall Governour or Governours appointed to governe or direct such Lands, Tenements, or things disposed to anie the vses aforesaid, neither to any Colledge, Hospitall, or free Schole, which haue speciall Wistors, or Governours, or Overseers, appointed them by their founders.
- The commissioners orders allowed.** 43. Eliz. 4.
- Colledges, Halls in Oxfozd or Cambridge, Welfminster, Eaton, Winchester, Cathedrall Church.** 13 Provided also, that neither this act, nor any thing therein contained, shall be any way preiudiciall or hurtfull to the iurisdiction of the Ordinarie, or power of the Ordinarie, but that he may lawfully in every cause execute and performe the same as though this act had neuer bin had or made. 43. Eliz. 4.
- Citie, Towne corporate.** 14 Provided also, that no person or persons that hath or shall haue any of the said lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money or stockes of money in his hands or possession, or doth or shall pretend title thereunto, shall be named a Commissioner or Juror for any the causes aforesaid, or being named, shall execute or serue in the same. 43. Eliz. 4.
- Hospitall, free Schole.** 15 Provided also, that no person or persons which hath purchased or obtained, or shall purchase or obtaine vpon valuable consideration of money or land, any estate or interest, of, in, to, or out of any lands, tenements, rents, annuities, hereditaments, goods or chattels, that haue bin or shall be giuen, limited, or appointed to anie the charitable vses aboue mentioned, without fraud or conin, hauing no notice of the same charitable vse, shall not be impeached by any Decrees or Orders of Commissioners aboue mentioned, for, or concerning the same his estate or interest. And yet neuertheless, be it enacted, That the said Commissioners, or any foure, or more of them, shall and may make Decrees and Orders for recompence to be made by any person or persons, who being put in trust, or hauing notice of the charitable vses aboue mentioned, hath or shall breake the same trust, or defraud the same vses, by any Conueyance, Gift, Graunt, Lease, Demise, Release, and Conuersion whatsoever, and against the Heires, Executors, and Administrators, of him, them, or any of them, hauing Assets in law or equitie, so farre as the same Assets will extend.
- Ordinaries Jurisdiction.** 43. Eliz. 4.
- Done shall be Commissioner or Juror, which hath any part of the lands or goods in question. Purchases of the lands bona fide.** 16 Provided alwaies, that this Act shall not extend to giue power or authoritie
- Recompence by those which break the trust**

tie to any Commissioners befoze mentioned, to make any Orders, Judgements, and Decrees, for or concerning any Mannors, Lands, Tenements, or other Hereditaments assured, conveyed, granted, or come unto the Queene Maiestie, to the late King Henrie the eight, King Edward the first, or Queene Marie, by act of Parliament, Surrender, Exchange, Relinquishment, Escheate, Attainder, Conueyance, or otherwise. And yet neuertheless, be it enacted, That if any such Mannors, Landes, Tenements, or Hereditaments, or any of them, or any Estate, Rent, or Profit thereof, or out of the same, or any part thereof, haue or hath bin giuen, granted, limited, appointed, or assigned, to, or for any the charitable vses befoze expessed, at any time sithence the beginning of her Maiesties Raigne: That then the said Commissioners, or any foure, or moze of them, shall and may as concerning the same Lands, Tenements, Hereditaments, Estate, Rent, or Profit, so giuen, limited, appointed, or assigned, proceed to enquire and make Orders, Judgements, and Decrees, according to the purport and meaning of this Act, as befoze is mentioned: The said last mentioned Prouiso notwithstanding.

43. El. 4.

17 All Orders, Judgements, and Decrees of the said Commissioners, or of any foure, or moze of them, shall be certified vnder the Seales of the said Commissioners, or any foure, or moze of them, either into the court of Chancerie of England, or into the court of the Chancery, within the countie Palantine of Lancaster, as the case shall require, respectiue, according to the seuerall Iurisdictions, within such convenient time, as shall be limited in the said Commissions. And the said Lord Chauncelloz, or Lord Keeper, and the said Chauncelloz of the Duchie, shall and may within their said seuerall Iurisdictions, take such order for the due execution of all or any of the said Judgements, Decrees, and Orders, as to either of them shall seeme fit.

Order for the execution of the Commissioners Decrees.
A remedie for any person grieved.

18 And if after any such Certificat or Certificats made, any person or persons shall find themselves grieved with any of the said orders, Judgements, or decrees, then it shall and may be lawfull to and for them, or any of them, to complaine in that behalfe vnto the said Lord Chauncelloz, or Lord Keeper, or to the Chauncelloz of the said Duchie of Lancaster, according to their seuerall Iurisdictions for redresse therein: And vpon such complaint, the said Lord Chauncelloz, or Lord Keeper, or the Chauncelloz of the Duchie may according to their said seuerall Iurisdictions, by such course, as to their wisedomes shall seeme meetest, the circumstances of the case considered, proceed to the examination, hearing, and determining thereof, and vpon hearing thereof, shall and may adnull, diminish, alter, or enlarge the said orders, Judgements, and Decrees of the said Commissioners, or any foure or moze of them, as to either of them in their said seuerall Iurisdictions, shall be thought to stand with equitie and good conscience, according to the true intent and meaning of the Donors, and Foundors thereof: And shall and may take and award good costs of suit, by their discretions, against such persons, as they shall finde to complaine vnto them, without iust and sufficient cause, of the orders Judgements, and decrees, befoze mentioned. 43. El. 4.

19 An Act made Anno 31. Eliz. 6. To refozme deceitts and breaches of trusts, touching Lands giuen to charitable vses, shall be from hencefoorth repealed. And yet so much of the said Act as concerneth the execution of Orders Judgements, and decrees, heretofore made by Commissioners, assigned by vertue of the said Act, and examination, hearing, and determining of the said Orders, Judgements, and decrees, by such Commissioners heretofore made, shall stand and remaine in force, onely, as for and concerning such Judgements, and decrees, as heretofore hath beene made by vertue of the same Act, and of Commissions therupon awarded. 43. Elizabeth. 9.

Cost of suit against the Complainers.

Hospitals, and charitable uses.

*Howe money
giuen and to
be giuen for
the binding
out of Appren-
tices of poore
children shalbe
imployed and
by whom.*

20 All summes of money freely giuen at any time within thre yeares last past, or hereafter to be giuen by any person or persons to be continually imployed for the binding out of Apprentices of the poorest sort of children vnto needfull trades and occupations shall for ever from henceforth continue, and be from time to time used and imployed to such uses, intents, and purposes onely, and by such persons, and in such maner and forme as shall be hereafter by this present Act specified and declared except the same haue bene or shall be otherwise ordered or disposed by the giuers thereof: That is to say, that all Corporations of all Cities, Boroughs and Townes Corporat, by what name or names soeuer they shall be knowne or incorporated, and in Townes or Parishes not incorporated the Parson or Vicar of euery such Towne or Parish: together with the Constable or Constables, the Church warden or Church wardens, Collectors and the Quersers for the poore for the time being, or the most part of them, where any such summe or summes of money are already giuen, or shall be hereafter giuen to be so imployed, shall from time to time within the said seuerall Cities, Boroughs, Townes and Parishes respectively, haue the nomination and placing of such Apprentices, and the guiding and imployment of all such moneys, as haue been heretofore so giuen, or which hereafter shall be giuen to and for the continuall binding forth of such and so many Apprentices, and in such sort as is already, or shall hereafter be so giuen and appointed, either by the last Will and Testament, or by any writing or writings vnder the hands and seals of any person or persons which hath already or hereafter shall so giue any summe or summes of moneys vnto the good and godly purposes and intents aforesaid. And if the Corporation of any such Cities, Boroughs or Townes Corporat, by what name or names soeuer they shall be called or incorporated, or any the person or persons in the other Townes and Parishes aboue mentioned appointed by this Act to haue continually the guiding and imployment of such summes of moneys so already giuen or hereafter to be giuen to the intents and purposes aforesaid, shall at any time hereafter wilfully forbear or refuse according to their duties in this behalfe to imploy such summes of moneys so giuen, or to be giuen as aforesaid for the binding out of such Apprentices, by means of which wilfull forbearance or refusing, the said money shall not be imployed accordingly, That then they and euery of them so offending contrary to this act, shall for euery such offence the sum of iij. l. viij. s. viij. d. of lawfull English money, the one halfe to be giuen to the Poore of the Towne, or Parish where such fault or offence shall be done or committed, the other Moitie to the partie that shall sue for the same: And that euery man that will, may and shall be admitted to sue for the same moitie for the vse and benefit of the said Poore, and shall bee also admitted to sue for the forfeiture of the other moitie in anie of the Kings Maiesties courts of Record, to his owne benefit and behalfe by Action of Debt, B. P. or T. wherein no P. M. of Law, or C. shall bee admitted or allowed. 7. Jac. 3.

*The sort of
those which of
dutie ought &
yet refuse to
imploy the
money.*

*The partie
which recei-
ueth the mony
shalbe bound
with sureties
to repay it.*

21 And for that all moneys so giuen may the better continue to and for the purposes aforesaid, the Master, Mistresse or Dame of euery such apprentice or apprentices that shall receiue any such summe or summes of money as aforesaid, shall become bound with one or two sufficient sureties, by Bond or Obligation in double the summe, which they and euery of them shall so receiue with such apprentice or apprentices as aforesaid, vnto the corporation of any such Citie or Towne corporate, by what name or names soeuer they shall be called, or incorporated, or to such person or persons in the other Townes and Parishes not incorporated, appointed by this Act, to haue continually the guiding and imployment of all such summes of money so already giuen or hereafter to be giuen to the intents and purposes aforesaid respectively: Upon condition to repaie such summe or summes of money as he or she shall so receiue with any such Apprentice or Apprentices at the end of seven

seven yeares next ensuing the date of the said Obligation, or within three Moneths next after the end of the said seven yeares. And if such appzrentice shall happen to die within the said space of seven yeares, then within one yeare after his or her said death. And if the Master, Mistresse or Dame, to whom any such Appzrentice or Appzrentices shall bee bound, shall happen to dye within the said space of seven yeares, then within one yeare next after his or her said death: So as the said moneys may be againe imployed for placing such Appzrentice with some other person of the same trade, to serve out the residue of the yeares of his or her former Appzrentiship, by the discretion of the said persons, trusted as aforesaid. 7. Lac. 3.

22 Everie such summe or summes of money so given or to be given in manner and forme and to and for the good uses and intents aforesaid, shall alwaies bee put forth and imployed by the parties aforesaid, that by this act shall have the disposing and imployment thereof, within three moneths at the furthest, after such moneys shall come to the hands of the said parties that by the intent and true meaning of this Act, ought to dispose and imploy the same. And if at such times there shall not be found fit and apt persons to bee bound out Appzrentices as aforesaid within the said Cities, Townes and Parishes, where such summes of money are or hereafter shall be given to bee imployed as afoze is declared: Then such of the poorest Childzen of any of the Parishes next adioyning shall bee bound Appzrentices in manner as aforesaid, as by the care and good discretions of the parties, which by this Act have the disposing and imployment of the said summes of money in the Cities, Townes and Parishes, where it was first given to bee imployed, shall be thought fit and convenient, taking such Bonds and Obligations of the persons that shall receive the same summes of money so put forth, and with such sureties, and upon such Conditions as is above mentioned and declared. Provided alwaies, that choyce from time to time be made of the poorest sort of Childzen of everie such Citie, Towne or Parish where such moneys shall bee given, and whose Parents are least able to relieue them. And that no such Appzrentice shall be above the age of fifteene yeares, when he or she shall be so first bound out an Appzrentice. 7. Lac. 3:

within what time the money shall be put forth.

A provision if there be no fit person in the parish to be Appzrentice.

what sort of persons shall be Appzrentices.

23 And for the better execution of this Act all and everie person and persons appointed by this Act, to have the imploying and disposing of any summe or sums of money so given or to be given as aforesaid, within any Towne or Parish not Corporat, shall after the end of this present Session of Parliament, once everie yeare in the Easter weeke, or within one moneth next after Easter day, make a true and perfect accompt, before foure, three, or two Justices of the Peace, dwelling in or next to everie of the said Townes or Parishes of all such summe and summes of money, as they or any of them have imployed in binding of Appzrentices by vertue of this Act, and of all Bonds and Obligations taken for the payment thereof, And also of all such summes of money as then shall happen to bee remaining in their hands not imployed: And also shall at the making and yeelding by of the said Accompt, or within tenne dayes then next following, yeeld and deliver by unto such, as shall happen next to succeed them, or then to be in the said roomes or places, all such Obligations and Bonds, as by them or any of them, have bene before that time taken to the uses aforesaid: As also all summes of money, remaining in their or any of their hands, to bee imployed as aforesaid, and not imployed at the time of the yeelding by of the said accompt. 7. Lac. 3.

Accompt shall be made of the money imployed.

24 If any of the parties appointed and trusted by this Act to have the imployment

Hospitals, and charitable uses.

Remedie
where any
partie truste
shall breake
the trust, or
commit any
offence.

ment and disposing of any of the said summes of money so giuen, or to be giuen as aforesaid, shall in any point or degree breake the trust & confidence in them in this behalf reposed, or shall commit any other misdeemeanor or offence in misemploying of the said summes of money or any part thereof, or in doing any other Act or Acts, contrary to their duty and the true intent and meaning of this act, for which there is not by this act any penaltie giuen or appointed, then it shall and may be lawfull for any person or persons whatsoever in the behalfe of the Woꝛe of any such Citie, Borough, or Parish, to exhibit his petition to the Lord Chauncelour, or Lord Keeper of the Great Seale of England for the time being, touching the same: Which Lord Chauncelour or Lord Keeper of the great Seale of England for the time being shall thereupon haue full power and authoritie to award out a Commission out of the high Court of Chancerie vnder the great Seale of England to such and so many persons as his Lordshippe shall thinke meete, to inquire, heare, and determine the saide offences, and euerie of them. And if the said Commissioners, or the most of them shall find, that any summe or summes of money so giuen or to be giuen are lost, impaired, wasted, or diminished, then they or the most part of them shall likewise haue power by vertue of this act, and of their said Commission, to rate, raise and collect the said summe of money so lost, impaired, wasted or diminished vpon such person and persons in places not incorporate as by this act are appointed to haue the guiding and ordering of the said moneys, if they or any of them haue sayled in their said duties in that behalfe, or otherwise vpon the able Inhabitants of such Citie, Towne or Parish where the same shall so happen, as in the discretion of the said Commissioners, or the greatest part of them shall be thought fittest, and to returne the said Commission and the manner of the execution thereof, into the said high court of Chancerie within thre moneths next after the execution thereof. And if any person or persons shall find himselfe grieved by any thing done by the said Commissioners, then vpon complaint thereof made in the high court of Chancerie, the said Lord Chauncelour or Lord Keeper for the time being, shall haue full power and authoritie to order and decree the same, as to his Lordship shall be thought most fit to stand with equitie and good conscience. 7. Jac. 3.

Remedie for
any partie
griued by the
Commissioners.

1 For Leases made by the Master and Gardian of an Hospitall. S. Ecclesiasticall 7.

2 Remedie for the Master of the Hospitall of Saint Leonard in Yorke. Sec 1. H. 6. 2.

Huy and Crie.

Prescription.

If any be suspected of the death of any man, being in danger of life, he shall be taken and imprisoned. And Huy shall be leuied for all Murders, Burglaries, and for men slaine, or in perill to bee slaine, as otherwhere is bled in England, and all shall follow the Huy and Steps, as neere as can be. And he that doth not, and is convicted thereupon, shall be attached to be before J. of Gaole deliuerie. Officiu Coronatoris 3. E. 1. Immediately after any Felonies and Robberies be committed, fresh suit shall bee made from towne to towne, and from countrie to countrie: And Enquests shall be taken (if need be) by him that is chiefe Lord of the Towne, and after in Hundreds, Franchises, and in the countie, and sometime in two, thre, or foure counties, in case where Felonies be committed in the Parches of Shires, so that

offendoꝝ may be attainted, and suffer punishment. And if the countie will not answer foꝝ the bodie of such offendoꝝ, the people dwelling in euerie such countie, shall answer foꝝ the robberies done, and the damages, so that the whole Hundred, where the robbery shalbe done, with the Franchises which be within the same Hundred, shall answer foꝝ the robberies done. And if the robbery be done in the diuision of two Hundreds, then both the hundreds, together with the franchises within the precinct of them, shall answer. And the countie shall haue no longer time after the robbery and felonie committed but xl. daies (28.E.3.11.) within the which they must agree, foꝝ the robbery and offence, oꝛ else they shall be answerable foꝝ the bodie of the offendoꝝ. Winch. 13.E.1.1.2: S.Felonie 1.

The countie shall answer, if the robbers be not taken.

2 The Inhabitants and residents of euerie oꝛ any such hundred (with the franchises within the precinct thereof) wherein negligence, fault, oꝛ defect of pursuit and fresh suit after Huy and Crie made, shall happen to be, shall answer and satisfie the one moitie oꝛ halfe of all and euerie such summe and summes of money and damages, as shall by force and vertue of the said Stat. (viz. of 13.E.1. & 28.E.3.) oꝛ either of them, be recovered oꝛ had against, oꝛ of the said Hundred, with the franchises therein, in which any robbery oꝛ felonie shall at any time hereafter bee committed oꝛ done: And the same moitie shall and may be recovered by A. of debt, Bil, Plaint, oꝛ Information, in any of the Qu. Courts of Record at Westminster, by, and in the name of the Clerke of the peace foꝝ the time being, of, oꝛ in euerie such countie within this realme, where any such robbery and recovery by the partie oꝛ parties robbed, shall be, without naming the Christian name oꝛ surname of the said Clerk of the peace. Which moitie so recovered, shall be to the only vse and behoofe of the Inhabitants of the said Hundred where any such robbery oꝛ felonie shall be committed oꝛ done. 27.El.13.

The inhabitants of a hundred where fresh suit shall cease chargeable.

The Clerke of the peace shall prosecute the suit.

3 If any Clerke of the peace, of, oꝛ in any countie within this Realme, shall at any time hereafter commence oꝛ prefer any such suit, action, oꝛ information, & shall after the same so sued, commenced, oꝛ preferred, happen to die, oꝛ to be remoued out of his office, be oꝛ recovered and execution had, yet no such Action, suit, bill, plaint, oꝛ information, sued, commenced, oꝛ preferred, shall by such displacing oꝛ death be abated, discontinued, oꝛ ended. But it shall and may be lawfull to and foꝝ the clerke of the peace next succeeding in the said countie, to prosecute, pursue, & follow all and euerie such action, bill, plaint, suit, and information foꝝ the causes aforesaid, so hanging and depending, in such manner and forme, and to all intents & purposes, as the clerke of the peace might haue done, which first commenced oꝛ preferred the said suit, bill, plaint, information. 27.El.13.

The Clerke of the peace commencing a suit, doth die, oꝛ is remoued

4 And although the whole hundred, where such robberies and felonies are committed with the Liberties (within the Precinct thereof) are by the said two former Statutes charged with the answering to the partie robbed, his damages: yet notwithstanding, the recovery and execution by and foꝝ the partie oꝛ parties robbed, is had against one oꝛ a few persons of the said Inhabitants, and he, and they so charged, haue not heretofore by Law had any meane oꝛ way, to haue any contribution of oꝛ from the residue of the said Hundred, where the said robbery is committed, to the great impoverishment of them, against whom such recovery oꝛ execution is had. Foꝝ remedie whereof, be it enacted &c. that after execution of damages by the partie oꝛ parties so robbed had, It shall and may be lawfull (vpon complaint made by the partie oꝛ parties so charged) to and foꝝ two Justices of the peace (where one to be of the Quorum) of the same countie, inhabiting within the said Hundred, oꝛ neere vnto the same, where any such execution shall be had, to assesse and take ratably, and proportionably, according to their discretions, all and euerie the Townes, Parishes, Villages, and Hamlets, as well of the said Hundred where any such robbery shall bee committed, as of the Liberties within the said Hundred,

A remedie foꝝ those against who execution is had to haue contribution of the residue of the hundred

Huy and Crie.

to and towards an equall contribution to be had and made, for the reliefe of the said Inhabitant or Inhabitants, against whom the partie or parties robbed, before that time, had his or their execution. And that after such Taxation made, the Constables, Constable, Headboroughes, or Headborough of everie such Towne, Parish, Village, and Hamlet, shall by vertue of this Act haue full power and authoritie within their severall limits, ratably and proportionably to take and asseesse according to their abilities, everie Inhabitant and Dweller in every such town, parish, village, and hamlet, for and towards the payment of such taxation and asseessment, as shall be so made upon everie such town, parish, village, and hamlet, as aforesaid, by the said Justices. And if any Inhabitant of any such town, parish, village, or hamlet, shall obstinately refuse and deny to pay the said taxation and asseessment so by the said Constables, Constable, Headboroughes, or Headborough, taxed and asseessed: Then it shall and may be lawfull to and for the said Constables and Headboroughes, and everie of them within their severall limits and iurisdiccions, to distraine all and everie person and persons so refusing and denying, by his and their goods and chattels, and the same distress to sell, and the money thereof coming to retaine to the use aforesaid. And if the goods or chattels so distrained and sold, shall be of more value than the said taxation shall come unto, then the residue of the said money over and above the said taxation, shall be delivered unto the said person or persons so distrained. 27. El. 13.

Distresse and sale thereof.

The Constables shall deliver the contribution money to the Justices, and they to the parties.

5 All and everie the said Constables and Headboroughes, after that they have within their severall limits and iurisdiccions leuyed and collected their said rates and summes of money so taxed, shall within tenne daies after such collection, pay and deliver the same over unto the said Justices of peace, or one of them, to the use and behoofe of the said inhabitant or inhabitants, for whom such rate, taxation, or asseessment shall be had or made, as aforesaid: Which money so paid, shall by the Justices or Justice, so receiuing the same, be delivered over (upon request made) unto the said inhabitant or inhabitants, to whose use the same was collected. 27. Eliz. 13.

Leuying of contribution in the hundred where default of pursuit shall be.

6 And the like Taxation, Asseessment, leuying by distress and payment, as aforesaid, shall be had and done with everie Hundred where default or negligence of pursuit and fresh suit shall be, for and to the benefit of all and every Inhabitant or Inhabitants of the same Hundred, where such default shall be, that shall at any time hereafter by vertue of this Act, haue any damages or money leuyed of them, for, or to the payment of the one moitie or halfe of the money recovered against the said Hundred, where any robbery shall be hereafter committed. 27. El. 13.

No penaltie where any of the offenders shall be apprehended

7 Provided that where any robbery is or shall be hereafter committed by two or a greater number of malefactors, and that it happen any one of the said offenders to be apprehended, by pursuit to be made, according to the said former mentioned Lawes and Statutes, or according to this present Act, that then, and in such case, no Hundred or Franchise shall in any wise incurre or fall into the penaltie, losse, or forfeiture, mentioned either in this present Act, or in any the said former Statutes, although the residue of the said malefactors shall happen to escape, and not to be apprehended: Any thing in this Act, or in the said former Stat. to the contrary notwithstanding. 27. El. 13.

The suit shall be commenced within a yere after the robbery.

8 Provided also, That no person or persons hereafter robbed, shall take any benefit by the vertue of any of the said former Statutes to charge any hundred, where any such robbery shall be committed, except he or they so robbed, shall commence his or their suit or action within one yere next after such robbery so to be committed. 27. El. 13.

9 No Huy and Crie, or Pursuit, hereafter to be done or made by the Countie

they or Inhabitants of any Hundred shall be allowed and taken to be a lawfull Huy and Cry, or Pursuit, upon or after any the said Felons, or offenders, except the same Huy and Crie, and Pursuit, be done and made by Horsemen and Footmen: Any blame or custome to the contrary notwithstanding. 27.Eliz.13.

The pursuit must be by horsemen and footmen.

10 No person or persons, that shall hereafter happen to be robbed, shall have or maintaine any action, or take any benefit by vertue of the said two mentioned Statutes, or either of them, except the said person or persons so robbed, shall with as much convenient speed as may be, give notice and intelligence of the said felonie or robbery so committed, unto some of the inhabitants of some Towne, Village, or Hamlet neere unto the place where any such robbery shall be committed: No shall bying or have any action, upon or by vertue of any the Stat. aforesaid, except hee or they shall first withi 7. daies next befoze such action to be brought, be examined upon his or their corporall oath, to be taken befoze some one J. of the P. of the countie, where the robbery was committed, inhabiting within the said hundred where the robbery was committed, or neere unto the same, whether he or they doe knowe the parties that committed the said robbery, or any of them. And if upon such examination it be confessed, that he or they doe knowe the parties that committed the said robbery, or any of them, then he or they so confessing, shall befoze the said Action be commenced or brought, enter into sufficient bond by Recognisance befoze the said Just. befoze whom the said examination is had, effectuell to prosecute the same person and persons so knowne to have committed the said robbery, by indictment, or otherwise, according to the due course of the Lawes of this Realme. 27. Eliz.13.

Notice of the robbery to some dwelling neere where it was done.

The partie robbed examined befoze a Justice, and bound to prosecute the offenders.

11 The inhabitants of the Hundred of Weynerth, alias Wenherst, within the Countie of Berk, shall and may to their owne proper vse, in the name of the clerke of the peace of the said Countie of Berk. recover, have, and leuy all such summes of money, costs, and damages, as hereafter shall be recovered or lenied, of, or against them, by the aforesaid Statutes, or any of them, against the inhabitants or residents of enery or any such Hundred, with the Franchises within the precincts thereof, wherein negligence, fault, or defect of such pursuit and freshsuit (as by the said Stat. of 27.El. is appointed to be made) shall happen to be, after notice given, or Huy and Crie brought to the same inhabitants or residents, or any of them, of, or upon any robbery, which shall be at any time hereafter done, within the said Hundred of Weynerth: And this present Act shall give as full power and authoritie in all respects to the inhabitants of the said Hundred of Weynerth, alias Wenherst (in the name of the Clerke of the peace of the said County) for recoverie, having, and leuying of all the said money, costs, and damages, as aforesaid, as the aforesaid Statute of 27.Eliz. gave or intended to give for the recoverie of a moitie, or one halfe thereof. 39.El.25.

A remedie for the inhabitants of the hundred of Wenherst in the County of Berk.

12 Provided alwaies, That no such remedie or recoverie shall be had by this Statute, for all, or the whole summe or summes of money, and damages, as aforesaid, but onely in these two cases, viz. The one, where no such notice or intelligence (as by the said Stat. of 27.El. was appointed to be given of enery or any robbery) shall be given to the inhabitants of the said hundred of Weynerth: The other, where the inhabitants of the same Hundred (after such notice of any robbery, to them, or some of them given, or after Huy and Crie for the same to them brought) shall make or cause to be made fresh suit and pursuit after the offenders, with Horsemen and Footmen, according to the said Stat. of 27.El. And where neverthelesse the offenders, or any, or one of them, shall not be apprehended within forty daies after the robbery committed. 39.El.25.

In what cases onely the recovery shall be had.

1 Huy and Crie shall be believed and pursued against him which will not obey the watch in the night. S.Watch 1.

Hunters.

Hunters, Hunting.

Hunters, Hunting.

None shall
hunt but
which hath
sufficient
living

If any Artificer, Labourer, or other Lay man, which hath not lands or tene-
ments, to the value of xl. s. by the yere, or if any Priest, or Clerke which hath not
living to the value of x. l. by the yere, will have or keepe any Greyhound, Hound
or other Dogge for to hunt, or will vse Ferrets, Pypes, Nets, Harepipes, Cordes,
or other Engines, for to take or destroy Deere, Hares, Conies, or other Gentle-
mens games, he shalbe imprisoned by the space of one whole yere. 13. R. 2. 13.
S. Just. of P. 36.

Buckstals.

2 If any person having no Parke, Chase, or Forrest of his owne, both keepe or
cause to be kept any Nets, called Deere haies, or Buckstals, he shall forfeit for eu-
ry moneth that he keepeth the same, tenne pounds, to any person that will sue for
the same by Action of Debt, wherein no w. ec. C. p. ec. 19. H. 7. 11. S. Forests
&c. 10.

Stalking.

3 Whosoever doth Stalke, or cause any other person to Stalke with any Bush or
Beast, to any Deere, being in any Parke, Chase, Forrest, or without (but in his
owne ground, Forrest, Chase, or Parke) without licence of the owner, master of
the game, or keeper of the same ground, Forrest, Chase, or Parke, shall forfeit for
every time that he or they Stalketh, x. l. to any person that will sue for the same by
Action of Debt, wherein no w. ec. C. p. ec. 19. H. 7. 11. S. Iustices of Peace 35.
S. Forests.

4 At everie such time as information shal be made of any unlawfull hunting by
night, or with painted faces to be done, to any of the Kings Councell, or to any of
the Iustices of Peace of the Countie where any such hunting shall bee had, of any
person to be suspected thereof: It shall be lawful to any of the same Councell or
Iustices of P. to whom any such information shal be made, to make a Warrant to
the Sherife of any such Countie, or to any Constable, Bailife, or other officer with
in the same Countie, to take and arrest the same person or persons of whom any
such information shal be made, & to haue him or them before the maker of the same
Warrant, or any other of the Kings said Councell, or Iustices of his peace of the
Countie. And the said Councello or Justice of Peace before whom such person or
persons shall be brought, by his discretion haue power to examine him or them so
brought, of the said hunting, and of the said doers in that behalfe. And if the said
person wilfully conceale the said huntings, or any person defectiue with him therein
then the same concealment be, against every person so concealing, felonie. And
the same felonie to bee inquired of and determined as other felonies within the
Realme haue vsed to be. And if he then confesse the truth, and all that he shal be ex-
amined of and knoweth in that behalfe, then the same offences of hunting by him
done, bee against the King but trespas finable, by reason of the same confession, at
the next generall Sessions of the peace to be holden in the same Countie by the J.
Just. of the same Sessions there to be sessed. And if any rescous or disobedience bee
made to any person having authority to doe execution or iustice by any such War-
rant, by any person the which so should be arrested, so that execution of the same
Warrant thereby be not had, then the same rescous or disobedience be felonie, in-
quirable and determinable as is aforesaid. And if any person or persons hereafter
be convicted of any such huntings with painted faces, viso, or otherwise disguised,
to the intent that they should not be knowne, or unlawfull hunting in time of night,
then the same person or persons so convicted, haue like punishment as hee or they
should haue, if he or they were convicted of felonie. 1. H. 7. 7.

1 No person shall hunt where any eared or coddred corne shall be standing. See
Fefants 4.

Husbandrie

Husbandrie and Tillage.

All persons to whom *H. Henrie the eight*, or any of his heirs or successors here-
tofoze sithence 4. die Februarij, Ann. 27. of his raigne, haue giuen, granted,
letten, or demised, or hereafter shall giue, grant, let, or demise any site or precinct,
with the houses thereupon builded, together with the demeanes of any Monaste-
ries, Priories, or other religious houses, that were dissolved or giuen to the said *H.*
by the Act made Anno 27. H. 8. (viz such as had not in lands, tenements, and he-
reditaments, above the clere yeerly value of two hundred pounds) and the heirs,
successors, and assignes, of euery such person, are bound to keep or cause to be kept
an honest continuall house and household, in the same Site or Precinct, and to oc-
cupie yerely as much of the demeanes in plowing and tilling of Husbandrie, as
then were commonly used to be kept in Tillage, by the Gouvernors, Abbots, or
Priors of the same houses, Monasteries, or priories, or by their farmer or farmers,
occupying the same, within twentie yeres next befoze the same statute, vpon paine
to forfeit to the *H.* for euery moneth offending to the contrarie, six pounds thirtene
shillings fourepence, to be recovered to his vse, in any of his Courts of Record. 27.
H. 8. in a Statute not printed. 5. El. 2. 35. El. 7. S. 35. El. 7. & 39. El. 1. & Q. whe-
ther they or either of them doe take away the force of the foresaid Statute of 27. H.
8. Touching the keeping of the demeanes of the late Abbeies &c. in Tillage, or not.
Stat. of P. 43.

Hospitalitie
& husbandrie
in Sites of
monasteries.

2. Euery house that now (viz. 24. die. Octobris, Anno 39. Reginæ Elizabethæ)
hath or heretofore had twentie acres of arable Land, Meadows, and Pasture, or
more thereunto belonging, and so occupied or letten to farme, by the space of thre
yeares together, at any time since the beginning of the Queenes raigne that now
is, and which is not or hath not bene the Castle or dwelling house of any Noble-
man or Gentleman, nor the chiefe Mansion house of any Mannor, is and shall bee
adjudged a house of Husbandrie for ever: And all acres spoken of in this Statute,
shall be adjudged acres, according to the statute or ordinance De terris mesurandis.
39. Eliz. 1.

which shall be
called an house
of husbandrie.

Weight &c. 5.

3. If any person or persons, bodies Politique or Corporat, at any time since the
beginning of her said Maiesties raigne, and befoze seven yeres now last past, haue
decayed or wasted, or willingly suffered to be decayed or wasted, any such houses
of husbandrie: in euery such case the offendor in that behalfe shall erect, build, or
repaire, vpon some conuenient part of the Sites, where the decayes were, or been
of the lands, to such houses heretofore belonging, the one halfe in number of such
houses so decayed or wasted, if the offendor now hath, or hereafter by the expira-
tion, surrender, forfeiture, or other determination of such Leases or Estates, as
now are in Esse, shall or may haue in his or thier owne vse, or occupation, so much
of the lands, which belonged to the same houses, or any of them, as will suffice to
lay thereof fortye acres of arable land, meadow, and pasture, to euery of the same
houses, so to be erected, builded, or repaired: And shall then also put to euery of the
same houses, fortye acres of the same lands at the least, being arable land, meadow,
and pasture, conuenient and fit to be used and occupied with the same houses. And
if the offendor now hath not, nor hereafter by the expiration, surrender, forfeiture,
or determination, of any such Leases or Estates, as are now in Esse, shall not, or
may not haue so much of the said lands, then the offendors to erect, build or repaire
so many of the same houses, befoze by this Act intended to be erected, builded, or re-
paired, as the same offendor can, of the same lands, then in his or their owne vse and
occupation, put thereunto fortye acres of arable Land, Meadow, and Pasture, and
in such case alio the same offendor shall put to euery such house so erected, builded,
or

Decay of hou-
ses of husband-
ry since the
beginning of
the Q. raigne
and befoze 7
yeares.

The one halfe
of the houses
decayed shall
be erected.

41. Acres of
land laid to eu-
ery house.

If the offen-
dor haue not
the lands in
his hands;

Husbandrie and Tillage.

or repaired, forty acres of the same Land at the least, being arable Land, Meadow, or Pasture, which shall be fit and convenient to be used and occupied with the same. 39. Eliz. 1.

The heire, executor, administrator, successor, or assignee of the offender.

4 And if any the same decayed houses and Sites, and the lands thereunto heretofore belonging, or any part thereof, be in, or doe come to the possession or hands, as aforesaid, of any as heire, executor, administrator, successor to the offender, or otherwise, as assignee, by the immediat and free gift of the offender, as aforesaid, in euery such case, such heire, executor, administrator, successor, or assignee, upon the Sites of some other convenient part of the same land so growne or come vnto him or them: And for and in respect of so much of the same lands, as is not before satisfied, by erecting, building, or repairing of houses of husbandrie, and supplying the same with lands, according to the true intent of this act in that behalfe, shall erect, build, or repaire such, and so many houses of husbandry in such maner and with like addition of lands thereunto, as the offender proportionably should haue done in the like case by the true meaning of this act. 39. Eliz. 1.

Decayes of houses of husbandrie within seven yeeres now last past.

5 And if any of the same wastings or decayings haue happened within seven yeeres now last past, the offenders in that behalfe having now, or which hereafter by the Expiration, Surrender, Forfeiture, or other determination of such Leases or Estates as are now in Use, shall or may haue in his or their owne use or occupation, so much of the same site or lands which belonged to the same house so decayed or wasted or any of them, as can supply euerie of the same houses, which before had belonging vnto it vnder xl. acres, with twentie acres of arable land, meadow, and pasture: And euerie such of the same houses, which before had forty acres or above belonging vnto it, with forty acres of arable Land, meadow, and pasture, shall erect, build, or repaire, upon some convenient part of the sites or lands that belonged to the same houses, or any of them, the whole number of the houses so decayed or wasted: And for euerie such of the same houses of Husbandrie, as heretofore had vnder forty acres of arable Land, Meadow, and pasture belonging vnto it, shall put to the houses of Husbandrie so to be erected, builded, or repaired of the Lands, which such Offender hath or shall haue, as aforesaid, twentie acres at the least of arable land, meadow, and pasture, fit and convenient to be used and occupied therewith: And for euerie such of the same houses of husbandrie so wasted or decayed, as aforesaid, as had belonging to it forty acres of arable land, meadow, and pasture, or more, shall put to euery of the same houses, so to be erected, builded or repaired of the same lands which such offender hath, or shall haue, as aforesaid, forty acres at the least of arable land, meadow, and pasture, fit and convenient to be used and occupied therewith. And if the same offender haue not, or shall not haue, as aforesaid, so much of the lands belonging to any of the same houses, as may therewith performe that which is aforesaid, then the same offender shall erect, build, or repaire so many onely of the same houses of husbandry as he can, with the same lands in the use and occupation, as aforesaid, of such offender, supplie the same houses with such quantitie of arable land, meadow, and pasture, as before in this article is mentioned to be put to the same, and shall put to euerie of the same houses of the same arable land, meadow, and pasture accordingly. Au. 39. Eliz. 1.

The whole number of houses decayed.

The heire, executor, administrator, successor, or assignee of the offender.

6 And if the same decayed or wasted Sites, or Houses and Lands, thereunto heretofore belonging, or any part thereof, be in, or doe come to the possession or occupation, as aforesaid, of any, as heire, Executor, Administrator, or successor to the said offender last before mentioned, or otherwise as Assignee, by the immediate or free gift of the same offender, in euerie such case, such heire, executor, administrator, successor, or assignee, upon some convenient part of the same Site or Lands, so growne or come vnto him or them: And for and in respect of so much of the same site and lands, as is not before satisfied by erecting, building, or repairing of houses

les of Husbandrie, and supplying the same with lands, according to the true intent of this act in that behalfe, shall erect, build, or repaire such and so many houses of Husbandrie, and with like addition of Lands thereunto, as the offendour proportionably should haue done in like case by the true meaning of this Act. 39. Elizabeth. 1.

7 All such as haue or shall haue any the houses of husbandrie decayed or wasted, as is aforesaid, at any time since the beginning of her said Maiesties raigne, or the lands thereunto belonging, or any part thereof, by, from, or vnder the offendour, for money, or other consideration, or otherwise by any other title then vnder the offendour: in every such case, such so hauing such sites or houses so decayed or wasted, as aforesaid, and the lands which did thereunto belong, or any part thereof, and not before that erected, builded, or repaired with houses of husbandrie, and supplied with lands, according to the true meaning of this act, shall for and in respect of the lands which he or they so haue, proportionably erect, reedifie, and repaire only the fourth part in number of the like houses of husbandrie, and with such and the like quantitie of the same lands to be added to every of the same houses of husbandrie, as is before mentioned for the offendour, to doe and perforce in like cases of decayes, made within 7. yerres now last past. 39. Eliz. 1.

The 4. part.

8 Euerie person, body politique and corporat, that is to make any erection, building, or repairing of houses, as is aforesaid, shall perforce two of the same erections, buildings, or repairings, before the feast of Pentecost, in the yere of our Lord God 1599. if so many be to be done by such partie, if not, then one where but one is to be done: And who is to perforce more then two, shall thenceforth yearely perforce two other of the same, until all such erections, reedifyinges, and repairings be fully perforced, which that partie is to doe and perforce by the true intent of this Act: And as the same houses shall from time to time be erected, builded or repaired, the Lands as is aforesaid, shall be put thereunto, and for such houses as are now standing, the Lands in maner, as is aforesaid, shall be put thereunto, before the said feast of Pentecost, in the yere aforesaid. 39. Eliz. 1.

within what time the building, erection, or repaire of houses shalbe made.

The Lands shalbe put to the houses.

9 All houses of Husbandrie, which are to be erected, builded, or repaired by the true intent of this act, And all other houses of husbandrie now standing, shall from time to time for ever, by the occupiers and possessors thereof be vpholden and maintained, in good and conuenient reparations, inhabitable and tenantable, and as houses of husbandrie in those parts. And the lands thereto to be put, or now belonging as aforesaid, or as much in goodnesse, quantitie, & qualitie, shall be demised with the house by the lessor thereof, whensoever the same house shall be demised, without any willing default of the lessor in that behalfe: And the same lands shall be used & continued in Tillage and Husbandrie, according to the statute in that behalfe. And where any in reason or good conscience ought to haue contribution from any other towards the charges of any the erections, buildings, or repairings aforesaid, In every such case vpon a bill to be exhibited into the High Court of Chancerie by such partie against any decayer or other that ought to be contributory to the same, as aforesaid, such contribution shall be giuen, and in such sort leuied and paid, as by order of that Court shall in that behalfe be set downe or taken. 39. Eliz. 1.

Contribution reconered in the Chancery.

10 Provided alwaies neuerthelesse, if any house of husbandrie now standing, hath or shall haue belonging to it, or letten therewith aboute the number of xl. acres of arable land, meadow, or pasture in the whole, the ouerplus thereof may from time to time be added to supply or make by any other house, to be a house of husbandrie of or vnder xl. acres. 39. Eliz. 1.

The ouerplus of xl. acres to supply of, or vnder xl. acres

11 And for the more better and commodious occupying or husbandrie of any the lands, meadowes, or pastures, which shall be allotted or belonging to any house of husbandrie, as aforesaid, it shall be lawfull for any Lord to make exchange with any

Exchanges.

Husbandrie and Tillage.

any his tenants, or any tenant or other person with the assent of the Lord, to change the one with the other, without incurring any the penalties of this Statute, any thing in this Act to the contrary notwithstanding. 39.El. 1

A new house
builded in
stead of the
old decayed.

12 Provided also, that if any person hath erected, or hereafter shall erect any new like house of husbandrie, where no house of husbandrie was at any time since the beginning of her majesties Reigne, with like Lands allotted, or to be allotted thereunto as aforesaid, and as convenient, in lieu or place of any house of husbandrie heretofore decayed, or hereafter to be decayed, and within two miles thereof: That in every such case such house so decayed, or to be decayed, is not, nor shall not be repaired, reedified, or continued, by the true intent of this Act, so alwaies that the same house newly erected, or to be erected, be continued a like house of husbandrie, as aforesaid for ever. 39.El. 1.

A Gentleman
taking into
his hands
land not excee-
ding 120. a-
cres.

13 If any person or persons, which hath built any mansion house fit for the dwelling of a Gentleman, or any person of a higher degree, hath taken into his hands any lands not exceeding the quantitie of five score acres, or houses not exceeding the number of two houses, convenient and needefull to be employed for maintaining of necessarie hospitalitie, and house keeping in that house, such person for such taking into his hands, or decaying of such lands or houses shall not be deemed or taken for an offender by this Stat. 39.El. 1.

This statute
doth extend to
no park or in-
closed ground
for Deere.

14 Provided also, that this Act, or any thing therein contained, shall not extend to any Parke or inclosed ground for Deere, or any lands or houses therein, the same being at this present chiefly stozed with, or employed to Deere. 39.El. 1.

They which
be out of the
Realme, In-
fants, or of
Non sane
memoriae.
The first of
offenders.

15 Provided also, that this act, or any thing therein contained, shall not be prejudicial to any being out of this Realme, or Infant, or of Non sane memoriae, which before by this Act ought to reedifie, erect, or repaire any house, or houses of husbandrie, so that every such person shall verely next after his returne, full age, or being of sane memoriae, performe therein the intents of this act. 39.Eliz. 1.

16 Every person and persons, bodies politique, and corporat, which shall offend in any the premises, shall for every house that shall not be erected, builded, repaired, continued or maintained in necessarie reparations, tenantable, according to the true meaning of this act, by the space of one yere, forfeit x. l. and so verely x. l. untill the same shall be sufficiently erected, builded, continued, or repaired. And for every acre of land, meadow, or pasture, which shall not be laied unto, or let with such houses of husbandrie, when the same shall be demised as aforesaid, shall forfeit for every yere he or they shall so offend, the summe of x. s. as long and as often as such acre shall not in those respects be used, and ordered according to the intent of this Act: Which forfeitures shall be divided into three equall parts, whereof one third part to be to the Qu. Maiestie, her heires and successors, one other part to be to the use of the poore within the parish where the same shall be committed, to be delivered by the order of the Court, in which the same shall be recovered, to the Churchwardens of the same parish without any charge or other warrant, and the other part to such as will sue for the same, in any Court of Record at Westminster, by A. B. P. or J. if any such will sue, if not, to the Qu. Maiestie, her heires, and successors, in which suit, no C. P. M. &c. 39.Eliz. 1.

Within what
time the offense
doe shall be
sued.

17 Provided also, that no offender shall be impeached or sued by vertue of this Act, except such suit shall be brought and commenced within two yeres of the same offence committed or done, being prosecuted by any, for himselfe and her Maiestie, her heires or successors: but in case where the said suit shall be brought or prosecuted for her Maiestie, her heires or successors onely, then such suit to be brought & commenced within three yeres of the same offence done and committed. 39.El. 1. Jac. 25. This Act to endure but to the end of the first Session of the next Parliament. S. Iust. of P. 44.

18 Whereas any lands or grounds at any times, since the 17. of November, Anno primo Elizab. have beene converted to sheepe pastures, or to the fattening or grazing of Cattell, the same lands having beene tillable lands, fields, or grounds, such as have beene used in tillage, or for tillage, by the space of twelue yeares together at the least, next before such conversion, according to the nature of the soyle and course of husbandrie used in that part of the countrey, all such lands, and grounds, as aforesaid, shall before the first day of May, which shall be in the yeare of our Lord God 1599. be restored to tillage, or laid for tillage in such sort as the whose ground, according to the nature of that soyle, and course of husbandrie used in that part of the countrey, be within thre yeares at the least, turned to tillage, by the occupiers and possessors thereof, and so shall be continued for ever. 39. Elizab. 2.

Pasture to be converted into tillage.

Land that be restored to tillage before 1. Maij Anno Dom. 1599.

19 All lands and grounds which now are used in tillage or for tillage, having been tillable lands, fields, or grounds, such as next before the first day of this present Parliament, have beene by the space of twelue yeares together at the least, used in tillage, or for tillage, according to the nature of the soyle, and course of husbandrie used in that part of the countrey, shall not be converted to any sheepe pasture, or the grazing or fattening of cattell, by the occupiers or possessors thereof, but shall according to the nature of that soyle, and course of husbandrie used in that part of the countrey, continue to be used in tillage, or for tillage, for cozne or grain, and not for wood. 39. El. 2.

Tillable land that not be put to pasture or wood.

20 Provided nevertheless, that if any person or bodie politique or corporate, hath since the 17 of November aforesaid laid, or hereafter shall lay any ground to graze, or hath used or shall use the same ground with sheepe, or any other cattell, which ground hath beene or shall be given or wone out with tillage, onely upon good husbandrie, and with intent, bona fide, without fraud or couin, the same ground should reconer hart and strength, and not with intent to continue the same otherwise in sheepe pasture, or for fattening or grazing of cattell, that no such person, or bodie politique or corporate, shall be intended for that ground a converter with in the meaning of this law. 39. El. 2.

Land wone out with tillage laid to grazing for a tunc.

21 Provided also, that if any such occupier or possessor of ground, as aforesaid, hath broken up, converted, or laid forth, or shall breake up, convert, or lay forth into tillage, any other ground not liable to this present law, as aforesaid, and lying within the same parish, Colons, Hamlet, or Lordship, or within two miles of the same land formerly tilled, that for such quantitie onely, and for so long time as he hath so done or continued, or shall so doe or continue, he shall not incurre any penaltie contained in this Act, but that it shall be lawfull for any such occupier or possessor, at his libertie and pleasure, and according to his best commoditie and husbandrie, to change and alter from time to time such ground put, or to be put in tillage, so that everie such occupier doe keepe the summe or totall of the quantitie or proportion of his grounds lying within the same parish, towne, hamlet, or Lordship, or within two miles of the same land formerly tilled, in tillage, as aforesaid. 39. Eliz. 2.

Putting of or other ground into tillage in stead of that which is converted into pasture.

22 Provided also, that this act shall not extend to any ground that any person, bodie politique or corporate hath turned or shall turne from tillage to pasture, for the onely maintenance and keeping of his or their own horses, geldings, mares, or draught oxen, or the horses, geldings, or mares, of his or their owne familie, or others coming to his or their house, or for the maintenance or keeping of kine, sheepe, or other cattell, for the onely victuals to be spent in his or their houses, or for the necessarie feeding of his or their tillable lands. Provided nevertheless, that no persons that shall commonly feed and sell yearly Beeves, and Puttons, to a greater number than he or they shall yearly spend in victual in his or their mansion

For what purposes tillage may be converted into pasture.

Feeders and sellers of beeves and muttons.

Husbandrie and Tillage.

manſion houſe or houſes, and more than ſhall worow or be needfull to be culled out, or in reſpect of the neceſſarie ſtockes for maintenance of houſe keeping, and ſoyling the tillable lands, as aforeſaid, or that ſhall be a common ſatter of Beeres or Put- tons, or any of them, as a common Graſier or Sheepemaſter, be commonly ſold in Markets and Faires, or to the common Butchers, other than in reſpect of the neceſſarie ſtockes aforeſaid, ſhall be taken, expounded, or underſtood to be ſuch per- ſon or perſons, bodies politique or corporate, as by this prouiſo laſt aboue mentio- ned, may keepe any ground or paſture whole, and not converted into tillage for the maintenance and keeping of kine, ſheepe, or other cattell for the only victuall to be ſpent in their owne houſes, for the needfull ſoyling of their tillable lands, but beene and ſhall be excepted out of the ſame prouiſo, Any thing in the ſaid Prouiſo contai- ned to the contrarie notwithstanding. 39. Eliz. 2.

They which
convert til-
lage into pa-
ſture, be not
for ſome can-
tes reſident at
their houſes.

23 Whereas it is mentioned, that this Act, or any thing therein contained, ſhall not extend to be preiudiciall to any perſon or perſons, bodies politique or corporate, for the keeping of any ground in paſture, for the onely maintenance and keeping of his or their horſes, mares, geldings, or draught oxen, or for the maintenance and keeping of kine, and other cattell, for the onely prouiſion and victualling of his or their manſion or dwelling houſe or houſes: if it ſhall fortune any ſuch perſon or per- ſons to be abſent, and not reſident at or upon his or their vſuall manſion, or dwel- ling houſe or houſes, with his familie or houſhold, for and by occaſion of ſervice, or attendance to be done by any ſuch perſon or perſons, by the expreſſe commandement of the Qu. her heires, or ſucceſſors, within this Realme, or without, or elſe having y. or ij. manſion or dwelling houſes, ſhall be reſident and dwelling with his familie, but at one of them, or ſhall be within age, What the during, and for the time of ſuch ſervice, attendance, minority, & abſence, and one yeare next after, or during, and for the time that he or they ſhall be reſident or dwelling with his familie, but at or upon one of his dwelling houſes, he or they ſhall and may keepe ſuch grounds in paſture, belonging or vſually occupied, with any of the ſaid two or three houſes, & with no more, or others in his or their owne hands, or occupation, or let it out to any other perſon or perſons, without incurring of any danger or forfeiture by ver- tue of this Act, ſo that the ſame perſon or perſons, ſhall and do keep the ſame man- ſion and dwelling houſe or houſes vnletten in good ſufficient reparations, & meete and conuenient for him or them to repaire, and reſort vnto at all times, for his and their dwelling and abode, Any thing in this act to the contrarie thercof in any wiſe notwithstanding. 39. Eliz. 2.

The ſoz. of
xx s. an acre
of land con-
verted from
tillage to pa-
ſture.

24 If any perſon, or bodie politique, or corporate, ſhall offend againſt the pro- miſſes, euerie ſuch perſon or bodie politique or corporate, ſo offending, ſhall looſe & forfeit for euery acre not reſtozed or not continued, as is aforeſaid, the ſumme of xx. s. for euery yeare that he or they ſo offend. And the ſaid penalties or forfeitures ſhall be diuided in three equall parts, thereof one third part to be to the Qu. her heires, and ſucceſſors, to her and their owne uſe, one other third part to the Qu. her heires, and ſucceſſors, for the reliefe of the poore in the pariſh where the offence ſhalbe com- mitted, if any ſuch be, to be deliuered by warrant of the principall officers in the re- ceipt of the Archequer, without further warrant from her Maieſtie, her heires, and ſucceſſors, and the other third part to ſuch perſon as will ſue for the ſame in any Court of Recozd at Weſtmiſter, by A. B. P. A. in which ſuit no C. P. M. &c. 39. Eliz. 2.

Just. of Miſe
& the peacc,
may enquire
of the offen-
ces.

25 The Juſtices of Miſe, or Juſtices of Peace in euerie Countie within this Realme at the Miſes or quarter or generall ſeſſions, ſhall haue full power and authoritie by vertue of this act, to enquire, heare, and determine all and euerie the defaultes and offences committed or done contrarie to this Act, within the Coun- tie where any ſuch Miſes or ſeſſions ſhall be kept, by Inquiſition, Preſentment, Indictment,

Indictment, Bill, or Information, or by any of the same waies or meanes, and upon the conviction of the offender by information or suite of any other than her Maestie, her heires or successours, to make extracts of one third part of the forfeitures, to be levied, for the Qu. her heires and successours, as they vse to doe of other fines, issues, and amerciements, growne in the Sessions of Peace, and to award execution of the two other third parts, the one for the complainant or informer, & the other to the poore, by the discretion of the Justices of Peace at the generall Sessions against the offender by Fieri facias and Capias, as her Maesties Justices at Westminster may doe and vse to doe: And if any such conviction shall hereafter happen to be at her Maesties suit onely, then the forfeitures to be extracted and levied for her Maestie, her heires and successours, to the uses aforesaid, 39. Elizabeth 2. S. Justices of Peace 44.

26 If any person shall hereafter be punished, by vertue of this Act, for any thing mentioned in this Act, then the same person shall not otherwise be vexed, troubled, sued, or put to any paine or punishment for the thing wherefore he or they shall have bene so punished. Provided that no offenders shall be impeached or sued by vertue of this Act, except such suit shall be brought and commenced within two yeares of the said offence committed or done. In case where the said suit shall be brought and prosecuted in the name of any Informer, And in case the same suit shall be brought and prosecuted in her M. name, or in the name of her heires or successours, then such suit to be brought and commenced within three yerres of the offence done and committed. 39. Eliz. 2.

27 Provided also, that no land compellable to be put in Tillage by vertue of this Act, shall be deemed or adjudged a breach or forf. of any covenant, bond, or condition, betweene any persons whatsoever. Neither that any person that shall be compelled to put any lands into tillage by vertue of this Act, shall therfore incurre any penalte or prejudice collateral, or other, whether it be of augmentation of rent, giving of any recompence or consideration, or the like, but shall be in law discharged of every such limitation, covenant, condition, or agreement. 39. Eliz. 2.

28 Provided neuertheless, that this Act shall not extend to any pasture, heath, bownes, wast or barren ground, which hath not heretofore bin commonly used to be eared or tilled for cozne, And which is not meet and strong enough to be continued still in tillage, according to the nature of the soyle, and custome of the Countrey, nor to any Commons, Fennes, Moores, Poles, nor to any Marshes being usually overflowed with water, at any time of the yeare, nor to any Marshes or grounds recovered and inned, and which are or shall be so kept and continued by charge of banks, nor to any Parke, or Parks, Warren or Warrens, nor to any enclosed grounds now used with Deere, or Connies, or which hereafter by licence from her Maestie, her heires, or successours, with sufficient clause of dispensation, mentioning this Act, shall be principally bestowed and imploied to the maintenance of Deere, and Connies, without fraud or couin, nor to any medowes, nor to any wood grounds, nor to any orchard, garden, pole, or pondyard, nor to any grounds set or sowed with saffron, hoppes, garlicke, onyons, or other such garden rotes, meet for victuall, nor to any plot, or soile, whereupon any house or tenement inhabitable is erected, and the curtilages, yards, and backesides thereof, nor to any ground occupied or let with any tenement, being vnder the quantitie of twentie acres, as long as such tenement shall be continued not decayed, nor to any grounds wherein any Dore, Lead, Linne, Iron, Cole, commonly called Sea Cole, Stone Cole, or Poore Cole, is commonly got: All which to be intended during such time onely, as all and enery the grounds aforesaid, shall be used, or put to the uses and intents aboue specified, Any thing in this Act to the contrarie notwithstanding. 39. Eliz. 2.

None shalbe punished but once for one offence. Within what time the offenders shall be sued.

Conversion of land into tillage, shall be no breach of covenant, &c.

To what grounds this stat. doth not extend.

Husbandrie and Tillage.

But c. acres
for a warren
and within a
mile of the
owners
house.

To what
Counties on-
ly this Statute
doth extend.

Sea sand
may be fetch-
ed in Devon
ec. to manure
their land.

29 Provided alwaies, that this last proviso shall not giue any benefit, aduantage, or libertie to any person or persons, which haue conuerted or imployed, or hereafter shall conuert or imploy, any moze ground to the keeping of Conies, not being lawfull Warren, then tenne acres at the most, and the same to be within one mile of his dwelling house. 39. El. 2.

30 Provided also, that this Act shall not extend to any Countie within this Realm of England, but such onely as shall be hereafter specified, that is to say, the Countie of Southampton, Leicester, Warwicke, Buckingham, Bedford, Dorset, Berkshire, the Isle of Wight, Gloucester, Worcester, Nottingham, Hampshire, Wiltshire, Somerset, Dorset, Derby, Rutland, Lincoln, Hereford, Cambridge, Huntingdon, Poike, Pembroke in Southwaies, and the Bishopricke of Durham, the Countie of all Cities and Corporations, lying, situate, and being within the Countie aforesaid, or consining to the same, & the Dynitie of the countie of the citie of Poike. 39. El. 2. Provided alwaies, that the said Act, for the maintaining of husbandrie and tillage, shall not extend to any lands lying within the Countie of Northumberland. 43. El. 9. 1. Jac. 25.

31 Provided alwaies, that neither this Act, nor any thing therein contained, shall extend to any ground now conuerted from tillage to medow or pasture, lying within two miles of the great road way, called Watling Street, leading from the Towne of Dunstable in the Countie of Bedford, towards Westchester, so that the same ground be not above five miles from the parish Church of Dunstable, nor within two miles thereof. 39. El. 2. 1. Jac. 25. This Act to endure to the end of the first Session of the next Parliament. S. Just. of P. 44.

32 It shall and may be lawfull to and for all persons whatsoever, resident and dwelling within the Countie of Devon and Cornewall, to fetch and take Sea sand at all places vnder the fall Sea marke, where the same is, or shall be cast by the Sea, for the bettering of their Land, and for the increas of Cozne and Tillage, at their wills and pleasures. And it shall and may be lawfull to and for all Barge-men, and Boatmen, & all other carriers of Sea sand of the said Countie, that shall fetch or take sand as aforesaid, to land and cast out of their Boats, and Barges, such sand as they shall so fetch or take at such places, as sand hath at any time within the space of fiftie yeeres last past, bin vbled by such Barge-men & Boatmen to be landed & cast: And also to fetch and carrie the same, by and through such waies, as now be, and by the space of twenty yeeres last past haue bin vbled for the carrying and fetching thereof, paying for the taking, casting out, and landing of every Barge-load, Boat-load, or sacke of the said sand, vpon the grounds of any man, such duties as heretofore within the said time of fiftie yeeres haue bin vbled and accustomed to be paid for the same, and for passage by & through the said waies such duties as haue usually bin paid by the said space of twentie yeeres, and in such manner and sozme, as the same within the said severall times, haue respectiue bin vbled and accustomed to be paid. And in such places where certaine small duties haue not bin paid, but vncertaine compositions haue from time to time bin made by agreement with the owners of the Soyle there to yeld such reasonable compositions, as by agreement with the said Owners, shall from time to time be made. 7. Jac. 18. This Act to continue vntill the end of the first Session of the next Parliament.

1 In what case a husbandman may haue an Apprentice. S. Labourers. 15.

Icofaile.

After issue
tried there
shalbe Judge-
ment.

If any issue be tried by the oath of twelue or moze indifferent men for the partie plaintiffe or demaundant, or for the tenant or defendand, in any action or suit at the Common Law of this Realme, or in any of the Kings Courts of Record, then the

the Justice and Justices by whom Judgement thereof ought to be given, shall proceed and give Judgement in the same, any mispleading, lack of colour, insufficient pleading, or Recourse, any miscontinuance or discontinuance, any misconceiving of proces, misjoining of the issue, lack of warrant of Attorney for y^e partie against whom the same issue shall happen to be tried, or any other default or negligence of any of the parties, their Counsellors or Attorneyes, had or made to the contrarie notwithstanding. And the said Judgements thereof so to be had and given, shall stand in full force to all intents, according to the said verdict, without any reversal, or undoing of the same, by writ of Error, or of false Judgement, in like forme, as though no such default or negligence had never bin had or committed. 32. H. 8. 30. 2. Ed. 6. 32.

2 If any verdict of twelve men or more shall be given in any action, suit, bill, plaint, or demand in any Court of Record, the judgement thereupon shall not be stayed or reversed, by reason of any default or lacke of forme, touching false Latin, or variance from the Register, or other defaults in forme, in any writ original, or iudiciall, count, declaration, plaint, bill, suit, or demand, or for want of any writ original, or iudiciall, or by reason of any imperfect, or insufficient returne of any shrieve, or other officer, or for want of any warrant of attorney, or by reason of any manner of default in proces before or after any Aylster, or Voucher. Nor any such Record nor judgement after verdict given shall be reversed for any of the defects or causes aforesaid, any law, statute, or usage, &c. notwithstanding. But this Act shall not extend to any writ, declaration, or suit of appeale of felonie, or murder, nor to any indictment or presentment of felonie, murder, treason, or other matter, nor to any proces upon any of them, nor to any writ, bill, action, or information, upon any popular or penall statute. 18. Eliz. 13.

No stay of judgement for lacke of forme

Iesuits, Priests, Seminaries.

All and every Iesuits, Seminarie Priests, and other Priests whatsoever, made or ordeined out of the Realme of England, or other the Qu. dominions, or within any of her realmes or dominions, by any authoritie, power, or jurisdiction, derived, challenged, or pretended from the Sea of Rome (since the feast of the Nativite of S. Iohn Bapt. Anno. 1. Eliz.) shall within xl. daies next after the end of this Session of Parliament, depart, out of this Realme of England, and out of all other her highnesse realmes and dominions, if the wind, weather, and passage shall serve for the same, or else so soone after the end of the said xl. daies, as the wind, weather, and passage shall so serve. 20. Eliz. 2.

All Iesuits and Priests shall depart out of the Realme.

2 It shall not be lawfull, to, or for any Iesuit, Seminarie Priest, or other such Priest, Deacon, or Religious or Ecclesiasticall person whatsoever, being borne within this Realme, or any other the Qu. dominions, and heretofore (since the said feast of the Nativite of S. Iohn Bapt. Anno. 1. Eliz.) made, ordeined, or professed, or hereafter to be made ordeined, or professed by any authoritie or jurisdiction, derived, challenged, or pretended from the Sea of Rome, by, or of what name, title, or degree soever the same shall be called or knowne, to come into, be, or remaine in any part of this Realme, or any other her highnesse dominions, other than in such speciall cases, and upon such speciall occasions onely, and for such time onely, as is expressed in this Act: And if he doe, then every such offence shall be taken and adjudged to be high Treason. And everie person so offending, shall for his offence be adjudged a Traitor, and shall suffer, lose, and forfeit, as in case of high Treason. 27. Eliz. 2.

No Iesuit or Priest shall come into, or remaine within this realme

3 Every person which shall wittingly and willingly receive, relieue, comfort, aide, or maintaine any such Iesuit, Seminarie Priest, or other Priest, Deacon, or

Receiving or relieving a Iesuit or Rel. Priest.

Iesuits, Priests, Seminaries.

Religious or Ecclesiasticall person, as is aforesaid, being at libertie, or out of hold, knowing him to be a Iesuit, Seminarie Priest, or other such Priest, Deacon, or religious or ecclesiasticall person, as is aforesaid, shall also for such offence be adged a felon, without benefit of Clergie, and suffer death, loose, and forfeit, as in case of one attainted of felonie. 27.El.2.

They which
be in Semi-
naries shall
after Procla-
mation re-
turne & take
the oath.

4 If any of her Maiesties subiects (not being a Iesuit, Seminarie Priest, or other such Priest, Deacon, or religious or Ecclesiasticall person, as is before menti- oned) now being, or which hereafter shall be of, or brought by in any Colledge of Iesuits, or Seminarie, already erected, or ordained, or hereafter to be erected, or ordained in the parts beyond the Seas, or out of this Realme in any fozeine parts, shall not within sixe moneths next after proclamation in that behelfe to be made in the Citie of London, vnder the great Seale of England, returne into this realme, and thereupon, within two daies next after such returne, before the Bishop of the dioces, or two Just. of P. of the Countie where he shall arrive, submit himselfe to her Maiest. and her Lawes, and take the oath set forth by act, (Anno 1. Eliz.) Then every such person which shall otherwise returne, come into, or be in this Realme, or any other her highnes dominions, for such offence of returning, or being in this Realme, or any other her highnesse dominions without submission, as aforesaid, shall also be adged a traitor, and suffer, loose, and forfeit, as in case of high trea- son. 27.El.2.

Sending re-
liefe to any
Iesuit, Priest
or person ab-
ding in any
Seminarie.

5 If any person vnder her Maiesties subiection or obedience, shall at any time by way of exchange, or by any other shift, waies, or meanes whatsoener, wittingly and willingly, either directly, or indirectly, comey, deliuer, or send, or cause, or pro- cure to be conveyed or deliuered to be sent ouer the seas, or out of this Realme, or out of any other her Maiesties Dominions or Territories, into any fozeine parts, or shall otherwise wittingly and willingly yeld, giue, or contribute any money or other reliefe, to, or for any Iesuit, Seminarie priest, or such other priest, deacon, or religious or ecclesiasticall person, as is aforesaid, or to, or for the maintenance or re- liefe of any colledge of Iesuits, or Seminarie, already erected, or ordained, or here- after to be erected or ordained, in any the parts beyond the Seas, or out of this Realme in any fozeine parts, or of any person then being of, or in any the same Colledges or Seminaries, and not returned into this Realme with submission, as in this Act is expressed, and continuing in the same Realme: Then every such per- son so offending, for the same offence shall incurre the danger and penaltie of Pra- munire, mentioned in the Statute of Praemunire made An. 16. R. 2. 27.Eliz.3.

Where the of-
fence shall be
inquired of,
heard and de-
termined.

6 Every offence to be committed or done against the tenor of this Act, shall and may be inquired of, heard and determined as well in the Court, commonly called the B. Bench, in the countie where the same Court shall for the time be, as also in any other countie within this Realme, or any other her highnes dominions, where the offence is or shall be committed, or where the offender shall be apprehended and taken. 27.El.2.

Favour to
Iesuits and
Priests upon
their submit-
tion.

7 This Act or any thing therein contained, shall not in anywise extend to any Iesuit, Seminarie Priest, or other such priest, deacon, or religious or ecclesiasticall person, as is before mentioned, as shall at any time within the said foztie daies, or within three daies after that he shall hereafter come into this Realme, or any other her highnesse Dominions, submit himselfe to some Archbishop or Bishop of the realme, or to some Just. of P. within the countie where he shall arrive or land, and do thereupon truly and sincerely before the same Archbishop, Bishop, or such Just. of P. take the said Oth set forth An. 1. El. and by writing vnder his hand, confesse & acknowledge, and from thenceforth continue his due obedience vnto her highnesse Lawes, Stat. and ordinances, made and provided, or to be made or provided in causes of religion. 27.El.2.

8 If it happen at any time hereafter, any Piere of this Realme, to be indicted of any offence, made treason, felonie or Præmunire, by this Act, he shall haue his trial all by his Peeres, as in other cases of treason, felonie or Præmunire is accustomed. 27. Eliz. 2.

Triall of a Piere.

9 If any Iesuit, Seminarie Priest, or other Priest abovesaid, shall fortune to be so weake or infirme of body, that he or they may not passe out of this Realme, by the time herein limited without imminent danger of life, and this vnderstood as well by the corporall oath of the partie, as by other good meanes vnto the Bishop of the Dioces, and two Just. of peace of the same Countie, where such person or persons doe dwell and abide: Then, and vpon good & sufficient bond of the person and persons, with suerties of the sum of 200. l. at the least, with condition that he or they shall be of good behaviour towards our Soueraigne Lady the Qu. and all her liege people: Then he or they so licenced and doing as aforesaid, shall and may remaine and be still within this Realme, without any losse or danger to fall on him or them by this Act, for so long time, as by the same Bishop and Justices shall be limited and appointed, so as the same time of abode exceed not the space of sixe monethes at the most. And no person or persons shall sustaine any losse, or incurre any danger by this Act, for the receiuing or maintaining of any such person or persons so licenced as is aforesaid, for and during such time only as such person or persons shall be so licenced to carrie within this realme: any thing in this Act to the contrarie notwithstanding. 27. El. 2. EP. at Q

A Iesuit or Priest weake of bodie.

10 Euery person or persons, being subiect of this Realme, which after the said fortie daies, shall know and vnderstand, that any such Iesuit, Seminarie priest, or other priest abovesaid, shall abide, stay, carrie, or be within this Realme, or any other the Quenes dominions and countries, contrary to the true meaning of this Act, and shall not discover the same vnto some Justice of peace, or other high officer, within twelue dayes next after his said knowledge, but willingly conceale his knowledge therein, euery such offender shall make fine, and be imprisoned at the Qu. pleasure. And if such Justice of peace, or other such officer, to whom such matter shall be discovered, do not within xviij. daies then next following, giue information thereof to some of the Qu. priuie Councell, or to the President or vicepresident of the Qu. Councell established in the North, or in the Marches of Wales, for the time being: Then he or they so offending, shall for euery such offence, forfeit the sum of two hundred markes. And such of the priuie Councell, President, or Vicepresident, to whom such information shall be made, shall thereupon deliuer a note in writing, subscribed with his owne hand, to the partie by whom he shall receiue such information, testifying that such information was made vnto him. 27. El. 2.

Danger in him which concealeth his knowledge of Iesuits and Priests.

A Justice of peace not giuing information to the Qu. Councell.

A note in writing of the information.

11 All such oathes, bonds, and submission, as shall be made by force of this Act, as aforesaid, shall be certified into the Chancerie by such parties, before whom the same shall be made, within thre moneths after such submission, vpon paine to forfe. for euery such offence a hundred pounds to the Qu. her heires & successors. 27. El. 2.

All oathes, bonds, & submissions certified into the Chancerie.

12 If any person so submitting himselfe as aforesaid, do at any time within the space of ten yeares after such submission made, come within ten miles of such place where her Maiestie shall be, without speciall licence from her Maiestie, in that behalf to be obtained in writing vnder her hand: Then and from thenceforth, such person shall take no benefit of his said submission, but the same submission shall be void, as if the same had neuer bin. 27. El. 2.

Restraint from the Court, by persons submitting.

13 If any person which shall be suspected to be a Iesuit, Seminarie, or Dissenting Priest, being examined by any person, hauing lawfull authoritie in that behalf to examine such person which shall be so suspected, shall refuse to answer directly and truly whether he be a Iesuit, or a Seminarie, or a Dissenting Priest, as is aforesaid: Euery such person so refusing to answer, shall for his disobedience and contempt

Imprisonment for refusing to answer vpon examination.

Iesuits, Priests, Seminaries.

contempt in that behalfe be committed to prison by such as shall examine him, as is aforesaid: and thereupon shall remaine and continue in prison, without baille or mainepiece, untill he shall make direct and true answer to the said questions, whereupon he shall be so examined. 35. Eliz. 2.

**None shall go
or send ano-
ther to any
Seminarie.**

14 All and every person and persons under the Kings obedience, which at any time shall goe, or passe, or shall send or cause to be sent, any child, or other person, under their or any of their government, into the parts beyond the Seas, out of the Kings obedience, to the intent to enter into, or be resident in any Colledge, Seminarie, or house of Iesuits, Priests, or any other Popish order, profession or calling whatsoever, to repaire in or to any the same, to be instructed, perfected or strengthened in the Popish religion, or in any sort to profess the same: Every such person so sending or causing to be sent, any childe, or other person beyond the Seas, to any such purpose or intent, shall for every such offence forfeit to his Majestie, his heires and successors, 100. l. And every such person so passing, or being sent beyond the seas, to any such intent and purpose, as is aforesaid, shall in respect of himselfe only, and not to, or in respect of any of his heires or posteritie, be disabled, and made incapable to inherit, purchase, take, have or enjoy any manors, lands, tenements, annuities, profits, commodities, hereditaments, goods, chattels, debts, duties, legacies, or summes of money within this Realme, or any other his Majesties Dominions: And all & singular estates, termes, and other interests whatsoever hereafter to be made, suffered or done, to or for the use or behoofe of any such person or persons, or upon any trust or confidence mediately or immediately, to or for the benefit or reliefe of any such person or persons, shall be utterly void, and of none effect, to all intents and purposes. 1. Iac. 4. S. Reculants 74.

**The penaltie
of him which
is in a Semi-
narye that re-
turneth not.**

15 If any person born within this Realme, or any the Kings Dominions, be at this present in any Colledge, Seminarie, house or place in any parts beyond the seas (to the end to be instructed or strengthened in the Popish religion) which shall not make returne into this Realme, or some of his Majesties Dominions, within one yeere next comming after the end of this Session of Parliament, & submit himselfe, as is aforesaid, shall be in respect of himselfe only, and not so, or in respect of any of his heires or posteritie, utterly disabled, and incapable to inherit, have, or enjoy any manors, lands, tenements, hereditaments, goods, chattels, debts, or other things aforesaid within this Realme, or any other his Majesties dominions. Provided always, that if any such person or child, so passing, sent, sending, or now being beyond the seas, as aforesaid, to such intents as is before mentioned, shall after become conformable and obedient to the laws and ordinances of the Church of England, and shall repaire to the Church, and there remaine and be as is aforesaid, and continue in such conformity, according to the true meaning of the said statutes and ordinances: In every such case, every such person and child, so and during such time as he or she shall continue in such conformity and obedience, shall be freed and discharged of all and every such disability and incapacity, as is before mentioned. 1. Iac. 4.

**No woman
or child shall
passe over the
Seas.**

16 No woman, nor any childe under the age of xij. yeares (except Ship boyes, or the apprentice, or factor of some merchant in trade of merchandise) shall be permitted to passe over the Seas (except the same shall be by licence of the Kings heires or successors, or of some five or more of the Privie Councell thereunto first had, under their hands) upon paine, that the officers of the Port, that shall willingly, or negligently suffer any such to passe, or shall not enter the names of such passengers licensed, shall forfeit his office, and all his goods and chattels: And upon paine that the owner of any ship or vessel, that shall willingly or willingly carry any such over the seas without licence, as is aforesaid, shall forfeit his ship or vessel, and all the tackle: And every master or mariner, of, or in any such ship or vessel, so sending as aforesaid, shall forfeit all their goods, and suffer imprisonment xij. months

neths, without baile or mainprie. The one halfe of all the penaltie and summes of money befoze mentioned to be forfeited, shall be to h. his heires & successors, the other to him or them that will sue for the same in any the courts of record at West. by A. B. P. or J. wherein no C. P. or M. &c. 1. Jac. 4. S. Recusants 40. &c.

Incontinencie.

It is lawfull to all Archbishops, Bishops, and other Ordinaries, having Episcopall iurisdiction, to punish and chasice such Priests, Clerkes &c. being within the bounds of their iurisdiction, as shall be convicted befoze them by examination, & other lawfull pzoofe (requisite by the law of the Church) of adulterie, fornication, incest, or any other fleshly incontinencie, by committing them to ward and prison, there to abide for such time as shall be thought to their discretions convenient, for the qualitie and quantitie of their trespasses. And none of the said Bishops or Ordinaries shall be thereto chargeable, of, to, or upon any action of false imprisonment. 1. H. 7. 4.

Spiritual persons punished for incontinencie.

Incumbent.

When the h. shall make collation, or presentation to a benefice, in anothers right, the title whereupon he groundeth shall be well examined that it be true, and if at any time befoze iudgement given, the title (upon good information) be not found true or iust, the collation or presentment shall be repealed, and the Patron, or the possessor which sheweth and proueth the title to be false, shall haue as many writs in the Chancerie as he will. 2. 5. Ed. 3. 3. And if the King doe present to a benefice, which is full of any Incumbent, the h. presentee shall not be received to such benefice by the Ordinarie, untill the King hath recovered his presentation by pzoce of Law in his owne Court. And if any presentee of the h. be otherwise received, and the Incumbent put out without due pzoce, the said Incumbent to put forth, may commence his suit, within one yere after the induction, or the h. presentation. 1. 3. R. 2. 1. or at any time after the yere at his pleasure. 4. H. 4. 22. S. Laps 3. Aduowson.

The h. presenting in anothers right.

The h. presentee to a benefice full of an Incumbent.

Indictments.

The wordes vi & armis, viz. cum baculis, culcellis, arcibus, & sagittis, or such other like, shall not of necessitie be compzised in any inquisition, or indictment, nor the partie indicted of any offence, shall take any advantage by writ of Error, plea, or otherwise, to auoide any such inquisition or indictment, for that the said wordes or any of them, shall not be put in the said inquisition or indictment, but the said inquisitions or indictments, lacking the foresaid wordes, or any of them, shall be taken to all intents as good and effectual in law, as if the said wordes were in them. 37. H. 8. 8.

Wordes not necessarie in Indictments.

2 The Justices assigned to heare and determine Felonies, may direct their writs through all the Counties of England, where need shall be, to appzehend those which be appealed, indicted, or outlawed of felonie in one countie, and be dwelling, or received in another countie. 5. Ed. 3. 11.

Pzoce against Indictments in another countie.

3 Upon euery indictment or appeale, by the which any of the h. liege people dwelling in other counties then there where the indictment or appeale shall bee taken of Treason, Felonie, and trespass, befoze Justices of Peace, or anie other having power to take such indictments or appeales, or other Commissioners or Justices in anie Countie, Franchise, or Libertie within England, befoze any Criminal

Indictment of persons dwelling in foreign Counties.

Indictments.

gent awarded vpon any indictment or appeale to be taken in forme aforesaid, immediately after the first writ of Capias vpon every such indictment or appeale awarded and returned, another writ of Capias shall be awarded, directed to the Sherife of the countie whereof he which is indicted, is, or was supposed to be conuerfant by the same indictment, returnable before the same Justices or Commissioners, before whom he is indicted, or appealed at a certaine day, containing the space of three moneths, from the date of the said last writ, by the which writ of second Capias, it shall be contained and commanded to the same Sherife, to take the bodie of him which is so indicted or appealed, if he may be found within his bayliwicke: And if he cannot be found within his bayliwicke, that the Sherife shall make proclamation in two countie before the returne of the same writ, that he which is so indicted or appealed, shall appeare before the same Justices or Commissioners in the Countie, Libertie, or Franchise, where he is so indicted or appealed, at the day contained in the said last writ of Capias, to answer to the King or to the partie of the felonie, treason, or trespass, whereof he is indicted or appealed, after which second writ of Capias so served, and returned, if he which is so indicted or appealed, doth not come at the day of the said writ of Capias returned, the Exigent shall be awarded against such indictes or appeales, and euerie of them. And if any Exigent be awarded vpon any such indictment or appeale against the aforesaid forme, or any outlawrie thereupon pronounced, the said Exigent and the outlawrie thereupon pronounced, and every of them shall be void. And the partie against whom such Exigent is awarded, or Outlawrie pronounced, against the aforesaid forme, shall not be endammaged in his life, lands, or goods, &c. And every one which is indicted or appealed in forme aforesaid, after he is acquitted by verdict in forme of Law, may haue an Action vpon the case, against euerie Procuroz of such indictments or appeales, in which action there shall be like proces, as in action of Trespas vi & armis. And if the said Procuroz be attainted, the plaintife shall recover treble damages. But this Statute extendeth not to indictments or appeales taken in the countie of Chester: For to any indictment or appeale of Felonie or Treason, taken of any of the King's liege people, which at the time of the same felonie or treason supposed, is, and was conuerfant within the countie whereof the indictment or appeale maketh mention, but the like proces shall be made against such indicted or appealed person as hath bin used. 8 H. 6. 10. S. Exigent 5. 6.

Actis against
Procuroz.

Indictment of
Appeale in the
Countie of
Chester.

Proces vpon
an indictment
remoued into
the B. Bench.

4 And if any such Indictments taken before any Just. of peace, or any other hauing power to take such Indictments or Appeales, or other Justices or Commissioners in any Countie, Franchise, or libertie of England, shall be remoued into the B. Bench, or elsewhere, by Certiorari, or otherwise, then after such remouing, before any Exigent awarded vpon any such indictment or appeale in forme aforesaid taken, immediately after the first writ of Capias vpon every such indictment or appeale awarded, & returned, another writ of Capias shall be awarded, directed to the Sherife of the countie whereof he that is so indicted or appealed, is, or was supposed to be conuerfant by the same indictment or appeale, returnable in the B. Bench, at a certaine day, containing the space of three moneths from the date of the said last writ of Capias, according to the maner and forme that the Justices of P. and other ought to haue done before such remouing. And if any Exigent be awarded vpon any such indictment or appeale after such remouing against the forme aforesaid, or any Outlawrie thereupon pronounced, as well the same Exigent as the Outlawrie, and every of them be void. 10. H. 6. 6.

Proces vpon
an indictment
of felonie.

5 If any man be indicted of felonie before Just. to heare and determine in their Sessions, the Sherife shall be commanded to attach his bodie by writ or Precept, called a Capias. And if the Sherife returne therein, that the bodie is not found, immediately another writ or precept of Capias shall be awarded, returnable iij. weeks after

After, and therein it shall be comprised, that the Sherife shall seize all his cattels; And safely keepe them untill the day of the writ or precept returned. And if the Sherife returne that the bodie is not found, and the Indictment commeth not, the Crigent shall be awarded, and the cattels shall be soz. But if he come and yeld himselfe, or be taken by the Sherife, or other officer, before the returne of the second Capias, the goods and cattels shall be saued. 25. Ed. 3. 14.

1 In what sort an Ordinarie shall be indicted of extortion, or oppression. See Ordinarie 2.

2 No Indictor shall be put in Enquests, vpon the deliuerie of the partie indicted. See Iurors 3.

3 Where Iustices of peace may charge one Enquest to indict another. S. Iurors 9. Iust. of peace 45.

4 For Indictments taken in the countie of Lancaster, of anie person dwelling in another shire. S. Iurors 17.

5 For Indictments taken in another countie against any person dwelling in the countie of Lancaster. S. Iurors 18.

6 By what persons and by whom empanelled, all Indictments shall be made. See Iurors 7.

7 Indictments taken before Sherifes in their Turnes, shall be deliuered to the I. of P. of the same shire. S. Sherifes 12.

8 Indictors being sued in Spirituall Courts, shall haue a Prohibition. S. Prohibition 7.

9 Iustices of P. may award proces against them which be indicted in the Sherifes Turne. S. Sherifes 13.

10 For the order of taking Indictments in the Sherifes Turne. S. Sherifes 12.

Inholders.

Inholders or Hostlers shall sell their Hay and Stes at a reasonable price, and shall take nothing for their Litture. 13. R. 2. 8. And if any Inholder doe take aboue a halfe penie moze for a bushell of Stes, then the common price in the market, & that be duely proued, he shall forfeit the quadruple value of that which he hath taken or ner, and that as well at the parties, as at the R. suit. 4. H. 4. 25.

2 Every Hostler, or Inholder (except hereafter excepted) that maketh Hoyle-bread in his house, or elsewhere, shall forfeit the treble value thereof. 13. R. 2. 8. 4. H. 4. 25. But euery Hostler or Inholder, dwelling in any Towne or Village, being a thorough fare, or common passage within this Realme, and being no Ctie, Towne, Corporeat or Market Towne (wherein any common Baker exercising the occupation of baking, which hath bene prentice to the said occupation seven yeares, is dwelling) may make within his house Hoyle-bread, sufficient, lawfull, and of due assise, according to the price of graine: any thing mentioned in either of the foresaid Statutes notwithstanding. 32. Hen. 8. 41. S. Iustices of Peace 50. Leers 12.

Inrolments.

NO Manors, Lands, Tenements, or other Hereditaments shall passe, alter, or change from one to anothe, whereby any estate of inheritance or freehold shall be made or take effect in any person or persons, or any vse therof to be made by reason onely of any bargaine and sale therof, except the same bargaine and sale be made by writing indented, sealed and inrolled in one of the R. courts of Record at West.

or

Inrolments.

or else within the same Countie or Counties where the same Manors, Lands, and Tenements so bargained and sold, lye, or be, before the Custos Rotulorum, and two Just. of the P. and the Clerke of the peace of the same countie or counties, or two of them at the least, whereof the clerke of the peace to be one, and the same inrolment to be had and made within sixe moneths next after the date of the same writting indented. 27.H.8.16.

The fees for
inrolment in
the countie.

2 The same Custos Rotulorum, or Justices of Peace, and Clerke, shall take for the inrolment of everie such writting indented before them, where the land comprised in the same writting exceedeth not the pecery value of xl. shillings, ij. s. that is, xij. s. to the Justices, and xij. s. to the Clerke, and for the inrolment &c. where the land comprised doth exceed the summe of xl. s. in pecery value, v. s. that is, ij. s. vi. s. to the Justices, and ij. s. vi. s. to the Clerke for inrolling the same deed. And the Clerke of the Peace of everie countie, shall sufficiently enroll in parchment the same writtings indented, and shall at the end of every yeare deliver the rolles thereof to the Custos Rotulorum of the same Countie, there to remaine, to the intent that everie partie that hath to doe therewith, may resort to him, and see the effect thereof. 27.H.8.16.

Corporat
townes bing
to inroll.

3 But this Act doth not extend to any lands, tenements, or hereditaments lying within any Citie, Borough, or towne corporate, wherein the Mayors, Recorders, or other officers have authoritie, or have lawfully used to inroll any evidences, deeds or other writtings within their precincts and limits. 27.H.8.16. For recoveries, deeds inrolled, and releases taken and knowledged before them, be and remaine of like force to all intents, as any of them where before the making of the said Act. 34.H.8.22. S. Women 5.

Inrolments
in Lancaster,
Chester,
Durham.

4 From the Feast of Easter next (being 11. Aprilis, Anno Dom. 1563.) all inrolments of such writtings indented (viz. as be before mentioned, 27.H.8.16.) of any bargaine and sale after the said Feast of Easter, to be made of any manors, lands, tenements, or other hereditaments, let, lying, or being in the counties of Lancaster, Chester, and Bishopricke of Durham, being made and inrolled within sixe moneths next after the date of any such writtings indented in the D. Court of Chaucerie at Lancaster, or before the Qu. Justice or Justices of Assises at Lancaster aforesaid, concerning any manors, lands, tenements, or hereditaments within the said Countie of Lancaster, or in the Qu. court of the Exchequer at Chester, or before the Justices of Assises at Chester aforesaid, concerning any manors, lands, tenements, or hereditaments within the said countie of Chester, or in the court of Chaucerie at Durham, or before the Justice or Justices of Assises at Durham aforesaid, concerning any manors, lands, tenements, or hereditaments, within the said countie of the Bishopricke of Durham, shall be accepted, deemed, reputed and taken to be as good and available in law, to all intents, as if the same writtings indented had bene made and inrolled in any of the Qu. courts at Westminster. any thing in the said former Act &c. notwithstanding. 5.Eliz.26.

Corporat
townes,

5 Provided alwaies, that this Act shall not extend to any manors, lands, &c. lying within any Citie, Borough, or towne corporate within any of the said counties wherein the Mayors, Recorders, Baylives, or other officer or officers have authoritie, and have lawfully used to inroll any evidences, deeds, or other writtings within their precinct or limits, any thing &c. notwithstanding. 5.Eliz.26. A Statute not in print.

1 In what case it is necessaric, that a safe conduct should be inrolled. S. Safeconduct 1.

2 Such things which concerne Fines and Recoveries, may be inrolled. S. Fines 19.29.&c.

3 For

3 For the Office of Inrolments, and fees of Inrolments of Fines and recoveries. S. Fines 24. 34.

4 That writs of Redisseisin & Secunda superoneracione pasturę shalbe inrolled. S. Admeasurement 2.

Joindenancie.

If the tenant in Assise of Nouel disseisin allegeth against the plaintife, that hee holdeth the tenements demanded iointly enfeoffed with his wife, or with some stranger not named in the writ, and sheweth a deed that testifieth the same, & prayeth iudgement of the writ, if the plaintife offer to verifie by the assise, that the tenant at the day of the purchasing of the writ was sole tenant, and that neither his wife nor any other had any thing in the tenements in demaund, then the Just. shall retaine the said deed in their keeping, as that which is in effect denied. And they shall warne by writ the partie which is absent, that hee appeare at a certaine day, together with the other tenant, to answer to the plaintife, as well of the exception, as of the tenements demanded, and put in view, if hee shall thinke good. At which day, if both they which were named tenants appeare, and auow the feoffement, they shall answer and maintain the exception alledged by one of them, and likewise plead further to the Assise, as though the writ had bene purchased iointly against them. And if it be found by the Assise, that the said exception was maliciously alledged to delay the right of the plaintife, for that they were not iointly enfeoffed at the day of purchasing of the writ, then though the Assise passe for the tenants against the plaintife, yet they shalbe one yere imprisoned, for alledging such exception, from whence they shall not be deliuered without a grievous fine. But the Justices shall not admit any such exception by the bailies of any tenants. And if he which alledgeth that exception, absent himselfe at the day, and the other which is said ioint feoffee, appeareth and disauoweth the deed, yet the Assise shall be taken against the tenant, that is absent by his default: and if it be found by the Assise, that they were not ioint feoffees, at the day of the purchasing of the writ, and likewise that the tenant against whom the writ was purchased, or any other named in the writ did disseise the plaintife, then hauing consideration to the exception falsly & maliciously alledged to the hurt of the partie, & to the disseisin by them done, the plaintife shall recover his seisin and his double damages, and he that alledgeth the exception, shalbe punished in forme aforesaid. And if neither of the tenants come at the day, then the assise shalbe taken against them by their default. And if it be found by the assise, that the exception be true & lawfully alledged, that they which did alledge the same were iointly infeoffed befoze the plaintife purchased his writ against them, his plaintifes writ shalbe quashed whether both or one only come. 34. E. 1.

Joindenancie
pleaded in Assise.

Joindenancie
not pleadable
by bailie.

2 In the same maner, if in Assise of Mortdauncester, or Iuris verum, at the first day that the partie appeare in court, the tenant allegeth the foresaid exception against the plaintife, & therof sheweth forth a deed, and the plaintife offereth to verifie by Assise or Iurie, that the tenant at the day of purchasing of his writ was sole tenant, then the same Proces and order of proceeding shall be obserued as befoze is said in Assise of Nouel disseisin. and the offendor in like sort punished. 34. E. 1.

Joindenancie
in Mortdauncester, or Iuris verum.

3 In other writs whereby lands be demanded, if at the first day of the parties apparance in court, the tenant allegeth the foresaid exception of ioint feoffement, and the demandant offereth to verifie his writ by a Iurie of the countrey, that the tenant at the day of the purchasing of the writ was sole tenant, then the same proces and maner of proceeding shalbe obserued betweene the parties, vntill the Iurie haue passed betweene them, and if it be found by the Iurie, that the exception was truly alledged, the writ shall be abated: But if it be found that the exception was

Joindenancie
pleaded in any
Præcipe.

And

falsly

Iron.

faulſly and maliſtiously alledged to the hurt of the partie, then the damaundant ſhall reconer ſeiſin of the lands demanded, and the tenant ſhalbe impriſoned as is aforeſaid, and answer damages after the diſcretion of the Juſtices. 34.E.1.Stat.de conium. Etim feoffat.

1 Where, and by what meanes Iointenants are compellable to make partition. S. Partition 2. 3. 4.

Iron.

wood not to be
imploied to
the making of
Iron.

NO person ſhall conuert oꝛ imploie, oꝛ cauſe to be conuerted oꝛ imploied to coale oꝛ other ſuell foꝛ the making of Iron, any timber tree of Oake, Beech, oꝛ Aſh, oꝛ any part thereof, of ſ breadth of one foot ſquare at the ſcab, & growing within xliij. miles off the ſea, oꝛ of any part of the riuer of Thames, Seuerne, Wiſſe, Humber, Oſe, Tyne, Uſſe, Trent, oꝛ any other riuer, creeke, oꝛ ſtream, by the which cariage is commonly uſed by boat oꝛ other veſſell to any part of the ſea, vpon pain of foꝛfe. foꝛ euerie ſuch tre, oꝛ any part thereof ſo imploied, &c. xl. s. to the R. & J. to be recovered by A. J. &c. wherein no W. C. P. oꝛ J. &c. 1. El. 15.

2 But this Act ſhall not extend to the county of Suſſer, noꝛ to ſ Wiſſeld of Kent, noꝛ to any the pariſhes of Charlewood, Petwidgeate, and Ligh in the county of Sur. rep. 1. El. 15.

wood conuerted
into coale
foꝛ the making
of Iron.

3 No person oꝛ persons ſhall conuert oꝛ imploie, oꝛ cauſe to be conuerted oꝛ imploied to coale, oꝛ other ſuell, foꝛ the making of Iron, oꝛ Iron mettall, in any Iron mils, furnace, oꝛ hammer, any manner of wood, oꝛ vnderwood now growing, oꝛ which hereafter ſhall grow within the compaſſe of xliij. miles, from and about the citie of London, oꝛ the Suburbes of the ſame, oꝛ within xliij. miles of the riuer of Thames, from Doꝛcheſter in the countie of Oxfoꝛd downwards the ſaid riuer of Thames, noꝛ within foure miles of the ſoot of the hils called the Downes, betwixt Arundel and Pemſey in the county of Suſſer, noꝛ within foure miles of any of the towncs of Wincheſey and Kie, noꝛ within two miles of the towne of Pemſey, noꝛ within two miles of the towne of Haſtings in the ſaid countie, vpon pain to foꝛfeit foꝛ euery load of wooon ſo to be imploied, oꝛ conuerted into coale, oꝛ other ſuell foꝛ the making of Iron, oꝛ Iron mettall, in any Iron mil, furnace, oꝛ hammer, as aforeſaid xl. s. to the R. & J. to be recovered by A. B. P. oꝛ J. wherein no W. C. P. oꝛ J. &c. 23. El. 5.

The wiſdoms
of Suſſer,
Suſſer, and
Kent.

4 This Act ſhal not extend to any woods growing oꝛ to grow in any ſuch parts of the Wildes of Suſſer, Suſſer, oꝛ Kent, within the ſaid xliij. of the ſaid city of London, and the riuer of Thames, as is diſtant aboue xliij. miles from the city of London, and big. miles from the ſaid riuer of Thames. 23. El. 5.

New Iron
woꝛkes.

5 No new Iron woꝛkes ſhalbe erected within xliij. miles of the ſaid citie of London, noꝛ within xliij. miles of the aforeſaid riuer of Thames, noꝛ within itij. miles of the Downes aforeſaid, oꝛ of the ſaid towncs of Pemſey, Wincheſey, Haſtings, oꝛ Kie, vpon pain of C. l. likewise to be recovered and imploied as is aforeſaid. 23. El. 5.

Chriſtopher
Dorrell.

6 This Act, noꝛ any thing therein contained, ſhall extend to any woods oꝛ vnderwoods, now ſtanding oꝛ growing, oꝛ which hereafter ſhal ſtand oꝛ grow in oꝛ vpon any lands of Chriſtopher Dorrell Gent. in the pariſh of Petwidgeate, within the Wiſſeld of the county of Suſſer, which woods of the ſaid Chriſtopher haue heretofore bin, & be by him preſerued and coppied foꝛ the uſe of his Iron woꝛkes in thoſe parts. 23. El. 5.

No new Iron
mill ſhalbe ſet
vp in Suſſer,
Suſſer, Kent

7 No person oꝛ persons ſhall make, erect, build, oꝛ new ſet vp, at, oꝛ in any place within the Counties of Suſſer, Suſſer, oꝛ Kent, oꝛ any of them, any manner of Iron mils, furnace, ſnacie, oꝛ blomarie, foꝛ the making oꝛ woꝛking of any manner of

of Iron, or Iron mettall, other than either upon such old & former haies or pennes, whereupon hath lately bin, or at the time of the new erection shall be then standing some Iron mills, furnace, or hammer, or else in and upon such lands as the partie or parties so erecting any such intended new worke, shall continually furnish the same with sufficient supplie of his, or their owne woods, standing or growing in or upon his or their owne proper soile, or land, being to him or them in fee simple, fee tail, or for terme of life or lines, without impeachment of waste, at the least, & not otherwise. For shall convert, or imploy, or cause to be converted or imployed to coales or other fuell, for the making or working of Iron, or Iron mettall, in, or about any Iron mills, furnaces, hammers, finarie, forge, or blumarie, the bodie or bodies of any sound timber tree or trees, apt for the making of good and sufficient cleft wares, or sawing timber of Dke, Ash, or Elm, growing of the breadth or bignesse of one foot square at the Sub, or any part of the same bodie or bodies of any such tree or trees, upon paine of forfeiture for everie Iron Mill, furnace, forge, finarie, or blumarie, made, erected, builded, or set up, contrarie to the tenor and true meaning of this Act, 300. l. And for everie bodie of every such timber tree, so imployed or converted to coale or fuel, for making or working of Iron, as is aforesaid, cl. 8. to the King, and 3. to be recovered by A. B. P. or J. wherein no W. C. P. &c. 27. Elizabeth. 19.

Good timber shall not be consumed for the making of Iron.

8 If shall and may bee lawfull to and for the owners of such trees, the bodies whereof have bin or shalbe from time to time converted and imployed to or for any manner of timber or cleft ware, within the wields of Sussex, Surrey, or Kent, or any of them (the same not being within xvij. miles of the citie of London, or vij. miles of the river of Thames, or iij. miles of the towne of Rie and Winchelsey, or within ij. miles of Hastings, or within iij. miles of the foot of the Hills called the Downs betwene Arundell and Pemsey in the countie of Sussex aforesaid, or any of them) to imploy the tops and offals of all such trees, to, or for coales or other fuell, serving to or for iron worke, at their owne will and pleasures, this stat. or any other &c. notwithstanding. 27. El. 19.

Tops and offals of trees imployed to Iron worke.

9 Iron made in England, and Iron brought into England and there sold, shall not be carried out of England, upon paine of forfeiture of the double value to the King, 28. E. 3. 5.

1 None shall make Bilbow Iron like the fashion of gads of Steele S. Steele.

Iurors, Iuries, and Enquests.

1 If any Sherife or Bailif do put into any Iurie (others than such as be next neighbours, most sufficient, and least suspicious) and is thereof attainted, he shall pay unto the plaintiff his double damages, and be amerced unto the King, 28. E. 3. 4. E. 3. 4. 42. E. 3. 11.

what sort of people shall be returned upon everie Iurie.

2 Old men above lxx. yeares of age, being continually sicke or diseased at the time of the summons, or not dwelling in the Countie, shall not be put in Iuries, or petit Assises, and there shall be no more summoned in one Assise, than xxij. But this shall not extend to great Assises, in which many times it becometh Knights to passe not resident in the countie, for scarcitie of Knights. West. 2. 13. E. 1. 37. They which do purchase charters of exemption, and libertie, not to be impaneled in Assises, Iuries, and Enquests, yet if their oathes be so requisite, that without them iustice cannot be ministered, and in great Assises, Perambulations, and in deedes or writings of Covenants (where they be named for witnesses) or in attaints, and in other like cases, they shall be compelled to sweare, Saving to them at another time their foresaid libertie and exemption. Marlb. 52. H. 3. 14.

Exemptions by age of graie

3 In Indicta shall be put in Enquests, upon delinquence of the inditees of fe.

Indicta

A a ij

lonie

Jurors, Juries, and Enquests.

lonie or trespasse, if he be challenged for the same cause by him which is indicted. 25. E. 3. 3. S. Challenge 6.

Officer of the
Forest.

4 No Foster, Werderer, Megardor, Agistor, or other officer of the forest, shall be put in any Assise, Juries, or Enquests, to be taken out of the same Forest. 34. E. 1.

Juroz taking
reward to
give his
verdict.

5 If any Juroz swozne in Assises, or other Enquests to be taken betwene the B. and the partie, or betwene partie and partie, do by himselfe or any other take any thing of the plaintife or defendant to give his verdict, and thereof is attainted at the suit of the partie, which will sue for himselfe, or of the B. or for any other person (entring his plaint by bill, immediately before the Justices, before whom the Jurie was swozne) the said Juroz shall pay ten times so much as he hath received. And all those which be Imbraceors to lead and procure such Enquests in the Countrie to make a gaine and profit thereof, shall be punished as the Juroz: and if the Juroz or Imbraceor so attainted, haue not wherewith to make recompence, in soome aforesaid, he shall be one yere imprisoned, which imprisonment shall not be pardoned for any fine: and the partie grieved may haue his action before other Justices, if he will. But no Justice or other officer shall inquire of office, upon any of the points of this stat. but only at the suit of the partie, or of others, as aforesaid. 34. E. 3. 8. 38. E. 3. 12. S. Attaine 17.

Decies tan-
tum.

Imbraceors.

Imbidexter.

6 If any Juroz in Assises, Juries, or Enquests, take of the one partie, and of the other, and be thereof duely attainted, he shall not after be put in any Assises, Juries, or Enquests, but shall be sent to prison, and further punished at the B. pleasure. And the Just. before whom such Assises, Juries, and Enquests shall passe, haue power to enquire and determine, according to this stat. 5. E. 3. 10.

Juroz in in-
dicaments.

7 No Indictment shall be made by any persons which bee outlawed before Just. of Record, or which haue fled to Sanctuary for Treason, or Felonie, there to haue refuge, but by Enquest of the Kings liege lawfull people, returned by the Sherifes or Bailifes of Franchises, without any denomination to the Sherifes or Bailifes of Franchises beforemade, of any person of the names which by him shall be returned (except it be by the Officers of the said Sherifes or Bailifes of Franchises knowne and swozne to make the same, and other ministers to whom it appertaineth by the lawes to make the same.) And if any Indictment be made in any point to the contrarie, the same shall be void and reuoked. 11. H. 4. 9. S. The force of this statute for the denomination in some respects altered by the statute next following.

panels refoz-
med by the
Justices.

8 But all panels returned, which be not at the suit of any partie, that shall be made and put in, by euerie Sherife and their ministers, before any Justice of Gaole deliuerie, or Justice of peace (whereof one to be of the Quorum) in their open Sessions, to enquire for the King, shall be refozmed by putting to, and taking out of the names of the persons that be so impanelled, by euerie Sherife and their Ministers, by the discretion of the same Justices, before whom such persons shall be returned. And the same Justice and Justices shall commaund euerie Sherife, and their ministers in their absence, to put other persons in the same panell by their discretions. And the same panels so refozmed by the said Justices, to be good and lawfull. And if any Sherife, or other ministers, at any time do not returne the same panell so refozmed, then euerie such Sherif or minister so offending, for euerie such offence shall forfeit. to the B. and J. to be recovered by A. B. &c. wherein no W. C. P. &c. And the B. pardon shall be no bar against the partie in the same, that shall sue any such action. 3. H. 8. 12.

Enquest to
enquire of co-
ncealment of
other enquests

9 The Justices of Peace in euerie Citie of this Realm may take by their discretions an Enquest (whereof euerie man shall haue lands and tenements, to the pecery value of xl. s. at the least) to enquire of the concealment of other enquests taken before them & before other, of such matters & offences as are to be enquired & present

ted before J. of Peace, whereof complaint shalbe made by bill or bills, as well with-
in franchise, as without. And if any such concealement be found of any Enquest
had or made, within the yere after the same concealement, everie person of the same
Enquest shalbe amerced for the same concealements, by the discretion of the same
Justices of Peace, the said amerciements to be assessed in plene Sessions. 3. H. 7. 1.
S. Lectes 6. 11.

10 So Sherife, Underherife, or Bailife of Libertie, shall put in any recogni-
sance of Assises, Juries, Enquests, or Attaints that shall passe out of their proper
Countie any person of their Bailiwicks (except he hath lands & tenements to the
verely value of 100. s. at the least) or that shall passe within the Countie (except hee
hath lands to the value of 1. s. yearly. 21. Ed. 1.) Neither shal any of them, or other
Bailife, returne vpon any writ or precept to them directed, to return any Enquests
in any pannell thereupon to be made, any bailifes, officers, or seruants of any Sher-
rife, Under-herife, Sherifes Clerke, Cozoner, Steward of franchise, Bailife, or
Warden of Prisoners, in any panell by them so to be made. 23. H. 6. 10. S. Iustices
of Peace 90.

Sufficiencie
of freehold.

Sherife, cozo-
ners, or gaol-
lers seruants.

11 No person shall bee admitted to passe in any Enquest vnto triall of the death
of a man, or in any Enquest betweene partie and partie in plea reall, or in plea per-
sonall whereof the debt and dammages declared, doe amount to fortye markes, if
the same person hath not lands and tenements of the yearly value of 1. s. aboue
all charges, so that hee be challenged for that cause by the partie &c. 2. H. 5. 3. But
this Statute doth extend onely to Enquests to bee taken or made betwixt denizen
and denizen, and not to Enquests or pwoes to be taken or made betwixt aliens
and denizens, according to the Statute made 28. Ed. 3. 13. for that purpose ordained.
8. H. 6. 29.

Enquest tou-
ching the life
of man, plea
reall, or fortye
markes dam-
mages.

12 Upon complaint made to one or more J. of Peace, of entrie or detaining of
lands with force, the said Justice shall make his precept to the Sherife of the same
Countie, commanding him in the Kings behalfe, to cause to appeare before him, suffi-
cient & indifferent persons, dwelling neere vnto the place where such force is, to en-
quire thereof, whereof everie one hath lands or tenements to the cleere verely value
of 1. s. vpon everie of which Jurie the Sherife shall returne Issues, vpon the first
Precept twentie shillings, vpon the second 1. s. vpon the third 100. shillings, and
at everie day after, double. And if the Sherife, or any Bailife, having returne of
Writs, be slacke, and do not duely execute the said Precepts, he shall forf. for every
default 11. s. to the King, and also pay to him a fine. 8. H. 6. 9. S. Force 2. Iustices of
Peace 89.

Jurors to en-
quire of force-
ble entrie.

13 If a Sherife or other person, which ought to returne writs or precepts, do re-
turne before any Escheto or Commissioner, any persons to enquire of lands or te-
nements, except everie of the same Jurie so returned, or other to his vse, haue lands
or tenements of the yearly value of 1. s. aboue all charges within the same Shire
where y inquirie shalbe made, he shall forf. for every person so returned 1. s. (except
the same Jurors be returned before an escheto in a city or corporation town, or which
is made by any person having priuiledge to make Eschetors. 1. H. 8. 8. 3. H. 8. 2. S.
Escheto, Office, Inquisition.

Jurors retur-
ned before
Eschetors or
Commissioners

14 If any Bailife, or other officer in any Countie of this Realme, doe returne
or impanell in any panell to be taken, or put, in, or vpon any inquisition or inquirie,
before the Sherife in his Turne, other than such as be of good name and fame, and
which haue lands or tenements of freehold within the same counties, to the pere-
ly value of 11. s. at the least, or else Copihold lands and tenements holden by Cu-
some of the Manor within the said Countie, to the yearly value of 11. s. big. 8.
aboue all charges at the least, he shall forf. for every person so impanelled, or retur-
ned, not being of the sufficiencie aforesaid 1. s. and the Sherife other 1. s. to the King.

Jurors in the
Sherifes turne

Jurors, Juries, and Enquests.

and J. &c. to be recovered by A. of Debt, wherein no C. P. &c. And enerie Indictment taken befoze the Sherife in his Turne, in any other maner, shalbe void. 1. R. 3. 4.

Triall of felons in corporat towne.

15. Euerie person being the R. naturall subiect bozne, which either by name of a Citizen, or a Freeman, or any other name, doth enioy the liberties of any Citie, Borough, or Towne corporate, where he dwelleth, being worth in moueable goods to the clere value of xl. s. shall be admitted in triall of Murders & Felonies in enerie Sessions and Gaoles of deliueries kept in and for the libertie of such Citie, borough, or towne corporate, albeit he hath no freehold. But this act extendeth not to any Knight or Esquire, dwelling, abiding, or resorting in or to any such city &c. 23. H. 8. 13.

Jurors impanelled in the courts of London.

16. No person shalbe impanelled, summoned, or swozne in any Jury or Enquest in Courts within the citie of London, except he bee of lands, tenements, goods, or cattels to the value of xl. markes. And no person shall bee impanelled, summoned, nor swozne in Juries or Enquests in any Court within the said citie, for lands or tenements, or action personall, wherein the debt or damages amounteth to the summe of xl. markes, or above, except he be in lands, tenements, goods, or cattels, to the value of 100. markes. And the same matter & cause alledged, by any of the said parties by way of challenge, & so found, shalbe admitted & taken in euery of the said Courts as a principall challenge. And enery such person impanelled or summoned to appeare in any Jury or Enquest, befoze any of the Judges of the same Citie, making default at the first summons, shall lose and forfeit in issues xj. s. and at the second default ij. s. & so at enerie default after that, the issues and penalties shall be doubled. And all such issues lost in the Maiors Court shall be forf. leuied, and perceiued to the vse of the Maior and comminaltie of the said citie. And all such issues lost in the Sherifes Court or Courts, shall be forfeited, leuied, and perceiued to the vse of the Sherifes of the same Citie for the time being toward their see farme. 11. H. 7. 21. And for all such issues in forme aforesaid to bee lost or forfeited in the Maiors Court, it shall be lawfull to the said Maior, and to his successors to distraine, and the same distresse to retaine, vntill he or they be satisfied of the said issues. And in like manner it shall bee lawfull to the said Sherifes, and their successors, to distraine for such issues lost in their Courts, and the same to retaine, vntill they be satisfied of the said issues. 4. H. 8. 3. And the Sherifes of London haue authoritie to returne in panels of all actions and suits depending in the Kings Bench and common place, or Exchequer, and triable at S. Martins the graund in London by Nisi prius, persons being citizens, hauing goods to the value of 100. markes, or above, to trie the issues ioined in enerie such action or suit. And the persons so returned shall be swozne, and doe in all such Juries likewise in enerie thing, as other persons shall doe, hauing lands, &c. to the yearely value of xl. s. ouer all charges. The Sherifes of the said Citie shall returne vpon the first distresse xx. s. in enerie such action, or suit, vpon enerie of the Jurors impanelled to trie the issues ioined of all things triable in London by proces of Nisi prius out of the said Courts, vpon the second distresse ij. s. iij. d. and vpon enerie distresse after that, the double value, vntill a full Jury in enerie such action or suit shall appeare, and be swozne to trie the issues ioined in the same. And if the Sherifes make any returne vpon such distresse, contrarie to the forme aforesaid, they shall forfeit ten pounds to the King and Infanter, wherein no Wager, &c. 4. Hen. 8. 3. 5. Hen. 8. 5. See Challenge 3.

Issues returned.

Panel in London of suit depending in the R. Courts at Westminster.

Issues returned.

Indictment in the countie of Lancaster, of a foreign dwelling in another Shire.

17. Euerie Indictment to bee taken befoze any of the Kings Justices in the Countie Palantine of Lancaster, or befoze any Sherife in his Turne, in the said Countie, whereby any person or persons, be supposed by the same Indictment to be, or to haue bin inhabiting or conuersant out of the said Countie, and within any other

other Countie within England, shall be taken by verdict of xij. men whereof euery of them, or some other to their vse, shall haue lands and tenements to the yearely value of 100. s. And no proces shall be made out of such Indictment, befoze it bee duly examined befoze the Justices within the said Countie, whether the said indictors, and euery of them, at the time of such Indictment taken, had lands and tenements within the said Countie of Lancaster, to the yearely value of 100. s. aboue all charges. And if it be found that euerie of the said indictors at the time of the said Indictment taken, had not lands &c. to the said yearely value of 100. s. then the Indictment, as to such person so indicted, supposed by the said indictment to be inhabiting or conuersant out of the said Countie of Lancaster, shall be void. 33. H.6.2.

18 And in like sort euery such indictment taken in any other County of any person inhabiting within the Countie of Lancaster, shall be taken by the verdict of xij. men, euery of them having Lands to the yearely value of 100. s. in that other Countie, or else the indictment shall be void. 33. H.6.2.

Indictment of one dwelling in the County of Lancaster.

19 In all cases where any Juror to bee returned for the triall of any issue or issues toynd in any of the Queenes Courts of the Kings Bench, Common pleas, and the Exchequer, or befoze Justices of Assise, by the lawes of this Realme now in force, ought to haue state of freehold in lands, tenements, or hereditaments, of the cleere yearely value of xl. s. in euerie such case, the Jurors that shall be returned, shall euerie of them haue estate of freehold in lands, tenements, or hereditaments, to the cleere yearely value of foure pounds at the least. And the writs of Venire facias, which shall be awarded and directed for the impanelling of Juries in the cases aforesaid, shall be in this forme: Regina &c. Præcipimus &c. quod Venire facias coram &c. duodecim liberos & legales homines de vicineto de B. quorum quilibet habeat quatuor libras terræ, tenementorum, vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit, Et qui nec &c. and so forth the residue of the said writ after the ancient forme. And vpon euerie such writ and writs of Venire facias, the Shirife or other ministers to whom the making of the panell shall appertaine, shall not returne in any such panell, any person, vnlesse he may dispend iij. l. by the yeare at the least of freehold out of ancient demesne, within the Countie where the issue is to be tried, vpon paine to forfeit for euery person being returned in any such panell, that cannot dispend iij. l. freehold as is aforesaid xx. s. 35. H.8.6. 2. Edw.6.32. 27. Eliz. 6. And in euery writ of Venire facias, wherein the said clause (quorum quilibet &c. shall be omitted) the Shirife or other minister to whom the making of the panell shall appertaine, shall not returne in any such panell any person, vnlesse he may dispend some lands or tenements, of estate of freehold, out of ancient demesne, within the Countie where the issue is to be tried. And also shall returne in euerie such panell (viz. both where the clause quorum quilibet shall be inserted or omitted) six sufficient Hundreders at the least, vpon paine to forfeit for euery person returned in any such panell, that cannot dispend some land by the yeare xx. s. and for euerie Hundreder omitted xx. s. 35. H.8.6. 2. Edw.6.32. At, or vpon the triall of any issue toynd in any personall action, no further challenge for the Hundred shall be admitted, if two sufficient Hundreders doe appeare, at, and vpon the triall of such issue. Provided neuertheless, that all other challenges, principall, or for other cause, shall be admitted, allowed, and tried in such order and forme, as if this Act had neuer bene made. 27. El.6. 35. H.8.6.

Venire facias where each Juror may dispend iij. l. of freehold.

Venire facias where each Juror need not dispend iij. l.

Hundreders.

Two Hundreders suffice in a personall action.

20 Vpon euery first writ of Habeas corpora, or Distringas, with a Nisi prius, deliuered of record, the Shirife or other minister or ministers to whom the making of the returne shall appertaine, shall returne in issues vpon euery person impanelled & returned vpon any such writ at the least x. s. And at the second writ of Habeas corpora

what issues shall be returned vpon Jurors.

Jurors, Juries, and Enquests.

corpora, or Distringas, with a Nisi prius, upon every person impanelled and returned upon any such writ, xx. s. at the least. And at the third writ of Habeas corpora, or Distringas, with a Nisi prius, that shalbe further awarded, upon every person impanelled and returned upon such writ xxx. s. And upon every writ that shall be further awarded to trie any such issues, to double the issues last afoze specified, untill a full Jurie be swozne, or the proces otherwise ceased or determined, upon paine to forf. for everie returne of issues contrarie to the forme afozesaid b. l. to the Queene and J. to be recovered in any Court of Record by A. B. J. &c. wherein no W. C. J. &c. Provided that this Act shall not extend to any Juries or issues to be returned in any Citie or Towne Corporat, or other towne or place privileged to hold plea, or in the ry. Shires of Wales, but that they shall and may be returned as heretofore they lawfully might have bene, this Act &c. notwithstanding. 27. Eliz. 6. 35, H. 8. 6.

Juries returned upon a Juroz not summoned.

21 The Justices shall not put in Assises or Juries any other then were summoned to the same at the first. 13. E. 1. 30. And if any Shirife, Under Shirife, Bailife, or other minister do returne any person or persons to be summoned to appeare in any Jurie wherein he shal for default of his appearance loose or forf. any issues, where in truth such person shall not be lawfully summoned: Then the same Shirife, Under Shirife, Bailif, or other minister by whose default such person shalbe returned summoned, as afozesaid, shal forf. loose and pay unto the said person and persons so returned, double the value of the issues by such Juroz or Jurozs lost or forf. for his default of apparence. 27. El. 6. 35. H. 8. 6.

Receiving reward for not returning any Juroz.

22 If any Shirife, Under Shirife, Shirifes deputies, Sherife, or Under Shirifes Clarke, or any Bailife of Franchise, shall receive, take, or have by himselfe, or by any other, any summe of money, reward or other profit directly or indirectly, doe take any promise, make an agreement, or assent to have any summe of money, reward, or other profit directly or indirectly, of any person or persons, for the sparing, not warning, or not returning of any person to bee swozne as a Juroz, for the trial of any issue ioynd, or to be ioynd in any of the Qu. Courts afozesaid (viz. the B. Bench, Common Pleas, & Exchequer) or before any Justices, then every Shirife, Under Shirife, Bailife &c. so offending, shall forf. for every such offence b. l. to the Q. and J. to be recovered in any Court of record, by A. B. J. &c. wherein no W. C. J. &c. 27. El. 6.

Tales at the plaintifes request.

23 In every writ of Habeas corpora, or Distringas, with a Nisi prius, where a full Jurie shall not appeare before the Justices of Assises, or Nisi prius, or else after apparence of a full Jurie, by the Challenge of any of the parties, the Jurie is like to remaine vntaken for default of Jurozs: then the same Justices, upon request made by the partie plaintife or demandant, shall have authoritie to command the Shirife, or other minister or ministers, to whom the making of the said returns shall appertaine, to name and appoint, as often as neede shall require, so many of such other able persons of the said Countie then present at the said Assises, or Nisi prius, as shall make up a full Jurie, which persons so to be named and impanelled by such Shirife, or other minister or ministers, shall bee added to the former panell, and their names annexed to the same. And every of the parties shal and may have his or their challenge to the Jurozs so named, added, and annexed to the said former panell by the said Shirife, or other minister or ministers, in such wise, as if they had been impanelled upon the Venire facias, awarded to trie the said issue. And the said Justices shall and may proceed to the triall of everie such issue with those persons that were before impanelled and returned, and with those newly added and annexed to the said former panell by vertue of this Act, in such wise as they might or ought to have done, if all the said Jurozs had bin returned upon the writ of Venire facias, awarded to trie the said issue. And all and everie such triall had, shalbe

shall be as good and effectfull in the law, to all intents and purposes, as if such triall had bin had and tried by xij. of the Jurors impanelled and returned vpon the writ of Venire facias, awarded to trie such issue. And in case such persons as the saide Sherife, minister of ministers shall name and appoint, as is aforesaid, or any of them, after they shall be called, be present and doe not appeare, or after his or their apparance, do wilfully withdraw him or themselves from the presence of the court: Then such Justices shall and may set such fine vpon euerie such Juror, making default, or wilfully withdrawing himselfe, as is aforesaid, as they shall thinke good by their discretion, the said fine to be leuied in such maner and forme, as issues forfeited and lost by Jurors for default of their apparance at the Common Law, haue bin accustomed to be leuied. And where any Jurie, that shall be returned by the Sherife, or other minister or ministers, shall be made full by the commaundement of the said Justices, by vertue of this Act, yet neuertheless such persons as were returned in the said panell by the Sherife, or other minister or ministers, to trie any such issue that shall not appeare, but make default, shall lose the issues vpon them returned, in such wise as though the same Jurie had remained for default of Jurors. 35. Hen. 8. 6. 2. Edw. 6. 32. A like Statute was made Anno 5. Eliz. 25. That if a full Jurie should not appeare before the Justices of the great Sessions in any of the xij. Shires in Wales, or in the Counties Palantine of Chester, Durham, or Lancaster, or after apparance by challenge of any of the Jurors, the Jurie were like to remaine vntaken for default of Jurors: That then the said Justices, or their Deputies, vpon request of the Plaintife or Demaundant might commaund the Sherife, or other Ministers to appoint so many others of the said Counties then present, as should make by a full Jurie. Et sic de cæteris verbatim vt supra.

The Jurors making default, shall lose issues.

Tales in Wales, Chester, Lancaster & Durham.

24 The Justices of Assise, and Nisi prius, before whom any triall shalbe made, by vertue of any writ of Habeas corpora, or Distringas, with a Nisi prius, where a full Jurie shal not appeare, or, after apparance of a full Jurie, by challenge the Jurie is like to remaine vntaken, for default of Jurors, shal haue authorite vpon request made for the D. her heires or successors, by any anthorized thereunto, or assigned by the Justices of the Court, before whom the said Enquest shall be taken, or vpon request to be made by the partie that followeth, as well for the D. her heires and successors, as for himselfe, vpon any penall stat. or his, or their attorney, to commaund the Sherife, or other minister or ministers, to whom the making of the said retorne shall appertaine, to name and appoint, as often as need shall require, so many of such other able persons of the said Countie then present at the said Assises, or Nisi prius, and to adde and annere the names to the former panell, as shall make by a full Jurie of xij. men for the triall of euerie such issue. And all and euerie clause, sentence, article, and prouiso comprised in the said former Act of 35. H. 8. shalbe taken, interpreted, and expounded, to giue the like and the same aduantage to the Quene, her heires and successors, and all such person and persons as shall pursue any action, bill, plaint, or information for the Quene, her heires and successors onely, or for her and the parties, as the partie plaintife in any other action should or might haue by vertue of the said act, in such forme and condition, to all intents and purposes as if such actions or suits had beene particularly declared in the said Act. 4. & 5. P. & M. 7.

Tales in a suit vpon a penall statute.

25 In all cases where the partie plaintife or demandant by any statute heretofore made, may haue vpon his request, made vnto the Just. Nisi prius, within Eng. land, or to the Just. of Oyer, or of Assises of the xij. Shires of Wales, & of the counties Palantine of Lancaster, Chester, & Durham, a Tales de circumstantibus, in euerie such case, the parties tenants, actors, auowants & defendants (if the plaintifes or demandants shall vpon the calling of the principall panell or Jurie, forbear or refuse

Tales de circumstantibus for the def.

Jurors, Juries, and Enquests.

use to pay the same) shall and may upon their request have upon the same record by the same Justices, the Tales, or Tales de circumstantibus, unto them granted in like manner, forme, and degree, to all respects, as the plaintife or demandant in any sute or action may have the same, by any statute or ordinance heretofore made or set forth. 14. El. 9.

Tales for the
def. in popular
actions.

26 And likewise the defendant shall be admitted to pray and have a Tales de circumstantibus in all popular actions, informations, bills, or suits commenced or had in any of the Qu. Courts of Record, upon any penall lawes or statutes, wherein any person shall sue, prosecute, or inform, as well for the Quene, her heires, and successors as for himselfe, whereupon issue shall be joined, to be tried by the country. 14. Eliz. 9.

Issues in At-
taint.

27 If the ground Jurie in Attaint appeare not upon the first distresse had against them, so that the Jurie for their default doe remaine, he that maketh default shall forfeit to the King upon the first distresse xx. s. upon the second distresse xl. s. and after making default, for every default v. l. and the like for. Shall they make which be named in the Tales 23. H. 8. 3. 13. Eliz. 25. And if any of the Jurors of the ground Jurie impanelled and summoned in the Courts within the Citie of London, at the summons make default, so that the Attaint remaineth to be taken for default of Jurors, then everie of the same Jurors so making default, shall for. for the first default xl. s. and at the second default v. l. and at everie default after that x. l. and like proces shall be made and sued there against the ground Jurie and the petit Jurie, and the partie and parties, as is to be made and sued in Attaint sued at the common Law. And the same proces shall be made returnable at every Whittings of Common pleas, and the Attaint shall not remaine to be taken after the first summons returned, for, or by the default of the def. or tenant, defendants or tenants, or of any of the petit Jurie named in the same Attaint by this Act ordained. And the penalties forfeited by any of the said ground Jurie, shall be lenied to the use of the Hospitall and Communitie of the said Citie, wherein no C. or P. shall be allowed &c. 11. H. 7. 21.

Jurors dis-
charged of
their issues
upon cause.

28 Upon a reasonable excuse for default of apparance of any Juror sufficiently proved before the Justices of Assises, or Nisi prius, at the day of their apparance, by the Othe of two lawfull and honest witnesses, the said Justices shall have authoritie by their discretions to discharge everie such Juror of everie such forfeiture of issues upon him returned. And the Shirife or other minister having commaundment by the said Just. to omit the returning of such issues as is aforesaid upon such Juror or Jurors, shall be therein discharged of the penalties aforesaid for the non-returning of the said issues: And yet notwithstanding the said returne shall be good and effectuell in the law, any law, custome, &c. notwithstanding. And if the said J. before whom any such Jurie should appeare in the county where such issue is to be tried by vertue of a writ of Nisi prius, doe not come at the day and place appointed, but that the same Assise or Nisi prius for that time shall be discontinued for not coming of the said Justices or for any other occasion, other then by default or lacke of Jurors: Then everie one of the said Jurors shall be discharged for forfeiting of any issues upon him returned in the same writ. And the Shirife or other minister shall be likewise discharged of the penalties of this Statute, for the not returning of such issues as therein are limited: any article or statute herein contained &c. notwithstanding. 35. H. 8. 6. 2. Ed. 6. 32. A like branch of a statute was An. 5. Eliz. 25. for the authoritie of the Justices, or their deputies, to discharge any Juror of his default of apparance at the great Sessions in the xij. Shires in Wales, or in the Counties Palantine of Chester, Durham, or Lancaster. Et sic de ceteris verbatim *vi supra*.

Not coming
of the Justices.

Justices in
Wales, Che-
ster, Lancaster
& Durham.

29 In all manner of enquests and proofes which be to be taken or made among
Aliens

Aliens and Denizens, be they Merchants or others, as well before the Maior of the Staple, as before any other Justices or ministers, although the King be partie, the one halfe of the Enquest or pzoofe shall be of Denizens, and the other halfe of Aliens, if so many Aliens be in the towne or place where such Enquest or pzoofe is to be taken, that be not parties, nor with the parties in contracts, pleas, or other quarrels, wherof such Enquests or pzoofes ought to be taken. And if there be not so many Aliens, then shall there be put in such Enquests or pzoofes, as many Aliens, as shall be found in the same townes or places, which be not thereto parties, nor with the parties as aforesaid, and the remnant of Denizens, which be good men, and not suspicious to the one partie, nor to the other. 27.E.3.8.28.E.3.13.2.H.5.3.8.H.6.29.

30 But if it happen any outlandish person, calling himselfe an Egyptian, or any such stranger, to commit within this Realme any murder, robberte, or felonie, and thereof be indicted and arraigned, and do plead not guilty, or any other plea triable by the countrey, then the Enquest that shall passe betwene the K. and such partie, shall be altogether Englishmen. 22.H.8.10. And in like sort shall the Enquest bee, where any of the said Egyptians is indicted of felonie for continuance within this Realme by the space of one moneth. 1 & 2.P.& M.4.5.El.20.

31 No Iurie shall be compelled to appeare in any of the Qu. Courts at Westmister, for the triall of any issue in any suit, byon any penall Law, for any offence committed above 20. miles from the City of Westmister, except in case where the Attorney general for the time being, for some reasonable cause in that behalf shew, shall require the same to be tried at the Barre in any of the courts of the Qu. Westmister, her heires or successors, at Westmister aforesaid, which request shall be noted on the backside of the writ of Distingas thereupon awarded, to the end the Shirif or his bailife may and shall signifie the same to the Iurie that are in such cases impanelled. 18.El.5.27.El.10.

32 The J. of Assise shall not compell the Jurors precisely to say that it is a disseisin, or not, so they will declare the truth of the matter, and require the Ju. helpe. But if they willingly say, that it is a disseisin, or not, their verdict shall be received at their owne perill. West. 2.13.Ed.1.30.

33 No Sheriffe, Coroner, or other person to whom it shall appertaine to make returne of any writ, shall returne any Juroz dwelling out of the libertie, without true addition of the place of his dwelling, or abode, at the time of the said returne, or within one yere next before the making of any such returne, or some other addition, by which the partie returned may be knowne: For any Juroz within any libertie with other addition, then such, as shall be delivred to him by the Bailife of the said libertie, or his deputy, certified vnder his or their hand: For any Bailife of any libertie, nor any his or their deputie or deputies, shall of himselfe returne any Juroz, or delivier to the Shirif, his vndersheriffe, deputy or deputies, the names of any persons to be returned byon any panell or Jury, without the true addition, certified vnder his or their hands to the Sheriffe, of the place of dwelling or abode of every person so to be returned, at the time of the said returne, or within one yere next before the said returne, or some other addition, by which the party returned, may be knowne. 27.El.7.39.El.18.

34 No extract of issues, against any Juroz returned, as aforesaid, shall be delivred out, received, or put in bye without such addition as is put in the originall pawell or sales, wherein such Juroz shall be so returned. And no vnder Shirif, bailife, or other officer, or person whatsoever, shall collect, lenie, or gather any issues so extreated, or any other person or persons, then of such persons or persons, as by vertue of the said extreat, is of right charged, or chargeable, with the payment of the said issues, byon paine that everie Clarke that shall writ, or delivier, or cause, or procure any such

An Enquest
shall be de Me.
dictate lingue
where an Alien
is partie,

Egyptians.

where Juries
shall not be
compelled to
appeare at
Westmister:
The Iurie
may give
their verdict
at large.

No Juroz re-
turned with-
out addition
of his dwell-
ing place.

In every Ex-
tract of issues
against a Ju-
roz, his additi-
on shall be put.

Jurors, Iuries, &c. Iustices of both &c.

such extreat to be deliuered out, receiued, or put in bys, and ieuery other person offending contrarie to the intent and meaning of this Act, shall forfeit to the Qu. her heires and successors iij. l. viij. s. viij. d. and to the p. griened, or which shall sustaine any losse thereby, iij. l. viij. s. viij. d. to be recovered by A. B. p. or I. in any Court of Record, wherein no W. C. p. shalbe allowed. 27. Eliz. 7. 39. Eliz. 18. S. Iustice of Peace 99.

35 In all actions triable in any of the R. Courts at Westminister by Jurors of the Countie of Middlesex, at the iij. day after the returne, the Jurors shalbe called, and notwithstanding that the plaint. or def. make default, or be essoigned, the appearance of them or any of them shalbe recorded & entred by the court, and they shal not be amerced, nor lose any issues. Euerie default, essoine, & other delay of and person plaintife or def. in any personal action heretofore vsed by this ordinance shal not be prejudiced, nor taken away, but to be adiudged, abiourned, and allowed, in as ample forme as they were before the making of this Stat. 8. Ed. 4. 3.

1 Iuries taken by the Marshall of the Kings house, shall be of the countrey therabout. S. Marshal 4.

2 A Iurie charged to enquire of trespas committed with a Forest, shall giue their verdict where they receiued their charge. S. Forests 17.

3 Of what sufficiencie Jurors returned to inquire of Riot, Rout, or vnlawful assembly ought to be. S. Riots 7. 15.

4 Of what sufficiencie Jurors returned in Attaint ought to be. S. Attaints 1. 6. 7. 14. 21.

5 Where the Iurie shalbe *de Medietate lingue*. S. Attaint 21.

6 Where Jurors may be impanelled in one Countie to enquire of any thing, or matter in another. S. Attaint 7.

7 What Jurors shalbe impanelled for the triall of him which feloniously imbeasleth a record. S. Felony 18.

8 Where a Iurie shall bee taken for an Infant, as though he were of full age. S. Age 2.

9 Within what time panels of Assises shal be arraied, and copies deliuered to the parties. S. Assise 8.

10 Where a Tales shalbe awarded into another Countie then where the issue is to be tried. S. Attaint 7.

11 A Bailife shalbe appointed for the keeping of a Iurie in Wales, and the punishment of those Jurors there, which doe wrongfully acquit any Felon or Murderer. S. Wales 14. 15.

Iustices of both the Benches, of Assise, Gaole deliuerie,
and of Nisi prius.

The Iustices Othe.

You shall sweare, That well and lawfully you shall serue our Soueraigne Lord the King, and his people, in the office of Justice, and that lawfully you shall counsell the King in his businesse, and that you shall not counsell, nor assent to any thing which may turne him in damage or disherison, by any manner way or colour. And that you shall not know of any damage or disherison of him, whereof you shall not warne him by your selfe, or some other. And that you shall doe equall Law, and execution of right to all his Subiects, rich, and poore, without hauing regard to any person. And that you take not by your selfe, or by other, privately or openly, gift or reward of gold or silver, nor of any other thing, which may turne to your profit, vnlesse it be meat or drinke, and that of small value, of any man that shall haue any plea or piores hanging before him, as long as the same piores shall be so hanging, nor after for that cause. And that you shall take no fee

as long as you shall be Justice, noz roabes of any man great or small, but of the King himselfe. And that you give none aduice noz counsell to any man, great or small, in no case where the King is partie. And in case that any (of what estate or condition they be) come befoze you in your Sessions with force and armes, or otherwise against the peace, or against the forme of the Statute thereof made, to disturbe execution of the common Law, or to menace the people that they may not pursue the Law, that you shall cause their bodies to be arrested and put in prison. And in case they be such that you cannot arrest them, that you certifie the king of their names, and of their offence spädily, so that he may therof pzoouide convenient remedie. And that you by your selfe, noz by other pziuily, noz openly maintaine any plea or quarrell depending in the K. Court, or elsewhere in the Countrey. And that you denie to no man common right, by the Kings letters, or any other mans, noz for any other cause: And in case any letters come to you contrarie to the Law, that you doe nothing by such letters, but certifie the King thereof, and pzoceed to execute the Law, notwithstanding the same Letters. And that you shall doe and procure the profit of the king, and of his crowne, in all things, where you may reasonably effect the same. And in case you shall be from hencefozth found in default in any of the points aforesaid, you shalbe at the Kings will, of bodie, lands, or goods, to be done therewith, as shall please him, So helpe you God and all Saints. 18. Edw. 3.

2 Anno 20. Edw. 3. 1. 2. The effect of the same Wthe is commaunded, confirmed, and enacted, And further it is there ordained, That the Barons of the Exchequer shall doe right and reason to all the K. subiects great and small, and shall deliuer the people reasonably without delay of the busynesse which they haue to doe befoze them, without vndue taryng. And mozeouer it is there enacted, That Iustices assigned by Commission to heare and determine, and such as shall be associated to them, And also Iustices of Assises to be taken in the Countrey, and of Gaole Deliuerie, and such as shall be assigned and associat to them, shall first make such an Wthe in all points, according as to them shall be inioyned by the Kings Councell, or in the Chauncerie, befoze such Commission shall be deliuered vnto them.

Barons of the Exchequer.

Iust. of Oier & determiner.

Iust. of Assise. I. of Gaole. deliuerie:

3 Good and discret persons (other then of the places, if they may be found sufficient) shall be assigned in all the Shires in England to take Assises, Juries, and Certifications, and to deliuer the Gaoles. And the Iustices assigned to deliuer the Gaoles shall haue power to deliuer the same Gaoles of those that shall be indicted befoze the Gardeins of the Peace. And the said Gardeins shall send their Indictments befoze the Iustices, and they shall haue authoritie to inquire of Shirifes, Bailloz, and other, in whose ward such indicted persons shall be, if they make deliniance, or let to mainprize any so indicted which be not mainpernable, and to punish the said Shirifes, Bailloz, and other offending against this Act. 4. Edw. 3. 2. The Iustices of either Bench, of Assise, and Gaole deliuerie shall heare and determine the Offences of those Shirifes, Bailloz, and Keepers of prison which by duress doe cause a prisoner to become an Approuer. 1. Edw. 3. 7. Iustices of Assise shall inquire of the demeanour of Shirifes, Escheatoz, Bailles of Franchises and their Underministers, and of Painta noz, Common Embzaceoz, and Juroz, and punish all them which they shall find guiltie. 20. Ed. 3. 6. Iustices of the one Bench & of the other, and Iust. of Assise and Nisi prius shall inquire of, heare, and determine of Paintainers, Bearers, Conspiratoz, & Committers of Champertie. And that which cannot be determined befoze the Iustices of the one Bench, or the other vpon the Nisi prius for the shortnesse of time, shall be adioyned into the place whereof they be Iustices, and there be determined as right and reason shall require. 4. Ed. 3. 11.

Offences which they may inquire of and determine.

Iustices of both the Benches, Of Assise, Gaole &c.

No man shall sit with the J. of Assise.

4 No Lord, or other of the country, great or small, shall sit upon the bench with the J. of the Assise in their Sessions, in any of the Shires of England, upon paine of a great forf. to the King, neither the Iustices shall suffer the contrarie to be done. 20.R.2.3.

No man shall be Justice of Assise in his own Countie.

5 No Justice, nor other man learned in the Lawes of this Realme, shall be nor exercise the office of J. of Assise, within any county where he was bozne or doth inhabite, upon paine to forf. for every offence done contrary to this Act, 100.R. to the King and J. to be recovered by A. J. wherein no W.C. P. But this Act doth not extend to any clerke of Assises associat to any Justice of Assise, for he may exercise the office of Clerkship of Assise in any Countie, citie, or towne, where he doth dwell, or was bozne: Neither doth this act extend to the Iustices, Justice clerkes, or Clerke of Assises within the R. Duchie and County Palantine of Lancaster, nor to the J. of the one Bench or the other, for taking, hearing or determining Assises in the said Courts, nor to any Justice that shall take any assise by or upon adjournment for difficulty of the same, nor to any Sheriffs, Sherrifes, Recorders, Stewards, Bailifes, Sutozs, or other officers in any citie, borough, or towne, but they may be J. of Assise of fresh force, and of other Assises, in the same city, borough, or towne, where he or they do dwell, or were bozne, as they might have bene before. 33.H.8.24.8.Rich.2.2.

Where Iustices shall keepe their Sessions

6 Iustices of Assise & Gaole deliuerie shall keepe their sessions in the principall & chiefe townes of every county, viz. where the countie courts of the same Counties be holden, or shall be holden. 6.R.2.5. But the Chancelloz of England shall have authority with the aduice of the J. to remedy the same from time to time, when need shall be. 11.R.2.11. And the Sessions of the J. of Assise & gaole deliuerie within the county of Cumberland shall be holden in the time of peace & truce in the city of Carlisle, and in none other. 14.H.6.3.

Iustices of Nisi prius shall deliuer the Gaole.

7 The Iustices before whom inquisitions, enquests, & iuries shall be taken by the R. writt called Nisi prius, according to the forme of the statute thereof made, haue power of all the cases of felonie, and of treason, to giue their Iudgements, as well where a man is acquitted of felony or of treason, as where he is therof attainted, at what day and place where the said inquisitions, enquests and iuries be so taken, and then from thenceforth to award execution to be made by force of the same iudgements. 14.H.6.1.

1 What suites commenced before Iustices of Assise shall not be discontinued by death, new commission, association, or not coming of the Iustices. S. Discontinuance 2.6.

2 New Iustices of Gaole deliuerie haue authoritie to giue iudgement against a prisoner found guiltie, and reprimed. S. Discontinuance 5.

3 Iustices of Assise and Gaole deliuerie may inquire of severall offences prohibited by severall Statutes. S. Iustices of Peace.

Iustice and Right.

Iustice shall be done to all.

Iustice shall be sold, deferred, or denied to no man: Neither shall any man be condemned but by lawfull trial: Magna Charta 9. H. 3.29. No man shall be attached, nor forfeited of life, lands, or goods, against the forme of the great Charter, and the Law of the Realme. 5.Ed.3.9. The Iustices of any Bench, or Court whatsoever, shall not let to doe, or execute the Common Law, for any commandement which shall come unto them, under the great Seale, or priue Seale. 2.Ed.3.8. 5.Ed.3.9.

Nothing shall be taken for Report.

2 No person to whom any order or cause shall be committed, or referred by any of the R. Judges or Courts at Westminster, or any other Court, shall directly or indirectly

directly, or by any art, gift, colour, or device, have, take, or receive, any money, fee, reward, covenant, obligation, promise, agreement, or any other thing, for his report or certificat by writing, or otherwise, upon paine of forfeiture of 100 l. for every such report or certificat, and to be deprived of his office and place in the same Court: The one moitie of the said for. to be to the R. his heires & successors: The other moitie to the party grieved which will sue for the same at any time during the said suit, or within one yeare after the same cause discontinued or decreed: and in his default of such suit, to him or them that will sue for the same by W. B. P. or J. in the Starre chamber, or any of the R. Courts of record at Westminister, in which sute by W. B. P. or J. no W. C. P. S. P. or any other delay shall be admitted. 1. Iacobi 10.

3 Provided neuerthelesse, that it shalbe lawfull for the Clerke to take for his paines for writing of every such report or certificat xj. s. for the first side, & y. s. for every side after, and no more, upon paine to forfeit x. s. for every penie taken over and beside the said summe, to be had and reconered as aforesaid. 1. Iacobi 10. S. 28. Edw. 1. 5.

The Clerke

Iustices of Peace.

In every Countie of England, good and worthy men, which be no maineinoers of leuill, nor Barrettoers in the Countrey shalbe assigned to keepe the Peace. 1. E. 3. 16. Two or thre of the most worthy men of Counties shall be assigned keepers of the Peace by the R. Commission. And at what time neede shall be, the same with other wise and learned in the Law shal be appointed by the R. Commission to heare and determine felonies and trespasses done against the peace in the same counties, and to execute punishment reasonably, according to law, reason, and the maner of the fact. 18. Ed. 3. 2. 17. R. 2. 10. which Iustices shall be assigned (of the Lordes, 34. E. 3. 1.) and the most worthy and sufficient knights, esquiers, and men learned in the Law of the same counties, 13. R. 2. 7. by the aduice of the Chancelor, and the Kings Councell, without taking other persons dwelling in foraine shires to execute the same office, except lordes and J. of ass. & the R. chiefe stewards of his duchie lands in the North & South parts for the time being: 2. H. 5. 1. And 6 J. of P. of every shire, named of the Quorum, shalbe resident within the same shire, except Lordes named in the Commission of the Peace, and also except the J. of the one Bench & the other, the chiefe Baron of the Exchequer, Serieants at the Law, and the R. Attorney, for the time that the same Iustices, chiefe Baron, Serieants at the law, and the R. Attorney be attending and occupied in the R. Courts, or otherwise in some other place occupied in the R. service. 2. H. 5. 4.

Who shal be J. of Peace.

Iustices shall be resident within the shire.

2 The Bishop of Ely and his successors, and their tempozall stewards of the Isle of Ely for the time being, shalbe J. of P. within the said Isle, & shall vse with in the same Isle all things that do belong to any J. of Peace, within any Countie of this Realme. And so shall the bishop of Durham &c. and his tempozal Chancelor of the County Palantine of Durham, be J. within the same county &c. And in like sort shall the Archbishop of Porke, &c. and his tempozall Chancelor of the shire and libertie of Peram, called Hertoldsham, be Iustices within the same shire. 27. H. 8. 25.

Bishop of Ely

Durham:

3 No man shall be appointed J. of the Peace in any county, if he haue not lands or tenements to the value of xx. l. by yere, and if any man be ordained J. of P. in any County, which hath not lands and tenements to the said value, he shall giue knowledge thereof to the Chancelor of England, which shall put another which is sufficient in his place, and if he do not giue notice thereof within on moneth, after he hath knowledge of the same commission, or if he sit or make any warrant or precept

Porke. Of what using J. of P. ought to be,

Iustices of Peace.

by force of such Commission, he shall be put out of that Commission, and also shall forfeit twentie pounds to the King and Inforner, to be recovered by Action of debt at the Common Law. But this Statute doth not extend to Cities, Townes, or Boroughs, which be Counties incorpored of themselves, nor to Cities Townes, or Boroughs, which haue Iustices of Peace of any persons dwelling therein by the commission or grant of the King or any of his progenitors. And if there be not sufficient persons learned in the Law, and of good gouernance in the same Countie, hauing Lands and Tenements to the value aforesaid, the Chancelloz of England by his discretion may put other persons learned in the law in such Commissions, though they haue not lands or tenements to the value aforesaid. 18.H.6.11.

Iustices oth.

4 Iustices of Peace shall be two, one, duely and without fauour to keepe and put in execution all Statutes and Ordinances touching their offices. 13.R.2.7. And euery Iustice of Peace, before he shall take vpon him, or be allowed to exercise the same office, shall take and pronounce a corporall Othe vpon the Euangelists, for the maintenance of the Qu. iurisdiction ouer all estates, and for the abolishing of foraine powers repugnant to the same 1.Eliz.1. For the forme of the Othe. S. Crowne 4.

Q. Sessions.

5 Iustices of Peace shall hold their Sessions foure times in the yeare, that is the first weeke after the feast of S. Michaele, the first weeke after the Epiphanie, in the first weeke after the claufe of Easter, and the first weeke after the translation of S. Thomas the Martyr, and more oft if neede be. And the same Iustices shall hold their Sessions through the realme of England in euery of the aforesaid weeks yerely. 2.H.5.4. Euery of which foure Sessions the said Iustices shall hold by the space of iij. daies, if need be, vpon paine to be punished by the aduice of the Kings Councell, at any mans suit which will complaine. But the Iustices of the one Bench, or the other, or the Sericants of the Law, where they be in Commion of the Peace, are not bound to keepe the Sessions foure times in the yeare, as other Commissioners, which be continually dwelling in the Countrey, but they shall doe it when they may well intend it. 12.Rich.2.10. And Iustices of Peace of the Countie of Middlesex, are discharged of the said penaltie, for not keeping Sessions foure times in the yeare (the Court of the Kings Bench sitting in the same County.) But the Iustices of the said Countie of Middlesex shall keepe their Sessions twice in the yeare at the least, and more often if need be, for any Riot, or Forcible entrie made within the same Countie, vpon the paines and forfeitures by Law for such offences provided. 14.H.6.4.

Iust. of peace of Middlesex.

Iust. wages.

6 Euery Iustice of Peace shall take for his wages iij. s. a day during the time of their Sessions, and their Clerkes ij. s. of the fines and amerciaments rising and comming of the same Sessions, by the hands of the Shirife. 12.R.2.10. But no Duke, Earle, Baron, or Baronet, being Iustices, and keeping the Sessions, shall take any wages for the same office. 14.R.2.11.

Estreats.

7 Iustices estreats shall be double, and one part shall be deliuered by them to the Shirife, to leuie the money thereof rising, and to pay to the Iustices their wages by the Shirifes hand, by indenture made betwixt them: And the Iust. shall put their name to the said estreats, with the number of the daies of their Sessions, that the Shirifes may know to whom to pay wages, and to whom not, And the Barons of the Exchequer, whom to allow, and whom not. 14.R.2.11.

**Iustices au-
thoritie, and
what things
they are to in-
quire of:**

8 The Iustices of peace, or three of them at the least, wheresoeuer one to be of the Quorum, in euery Shire of this Realme and Wales, and all other places within the Kings dominions, haue authoritie to take information by the deposition of two honest and lawfull persons at the least, And after to inquire by the othes of twelue men in euery their foure Quarter Sessions, of all and singular accusations and informations

Informations made of any the offences prohibited by the stat. provided 1. Edw. 6. against such as shall speake irreuerently against the Sacrament of the bodie and blood of Christ &c. and for the receiuing thereof vnder both kinds, within the limits of their commission. And vpon euery such accusation and information the offendour shall be enquired of, and indicted befoze the said Just. of peace, or thre of them at the least, of the said contempts and offences, by the verdict of twelue men, if the matter of the said accusation & information shall seme to the said Jury good & true. And the said J. of P. or thre of them at the least, befoze whom any such presentment, information, and accusation shall be made, shall examine the accusers, what other witnesses were present at the committing of the said offence, and how many others then the accusers haue knowledge thereof, and haue authoritie by their discretions to bind by recognizance, as well the said accusers, as all such other persons, whom the accusers shall declare to haue knowledge of the offences by them presented and informed, euery of them in v. r. to the J. to appeare befoze the said Justices, befoze whom the offendour shall be tried, at the day of his triall and deliuerance. And the Justices of Peace, or thre of them at the least, haue authoritie to make Procces against euery person so indicted, by two Capias and Exigent, and by Capias velagarum, as well within the limits of their Commission, as into all other Shires and places of this Realme, Wales, and other the Kings Dominions, as well within liberties as without, and the same Procces shall be good in the Law to all intents, and vpon the apparance of the offendour, they haue authoritie to determine the said offences, according to the lawes of this Realme, and effect of this Act. And also they haue authoritie to let any person so indicted, by their discretions, to baile for his apparance, to be tried according to the tenor of this Act. And the said Justices of Peace, or thre of them at the least, at their Quarter Sessions, where any offendour shall be indicted of any of the offences aforesaid, shall award a Writ in the Kings name, to the Bishop of the Dioces, wherein the offences is supposed to be done, requiring him to be in his owne person, or by his Chancelloz, or other his sufficient Deputie learned, at the Quarter Sessions in the said Countie to be holden, when and where the offendour shall be arraigned and tried, appointing in the said Writ the day and place of the arraignment, which writ shall be of this forme.

Irreuerent speaking against the Sacrament.

Iacobus &c. Epō Salutem. Præcipimus tibi quod tu, Cancellarius tuus, vel alius Deputatus tuus sufficienter eruditus, sicis cum Iusticiarijs nostris ad pacem, in Com̃ nostro B. cōseruand assignat apud D. tali die, ad Sessionem nostram adtunc & ibidem tenendam, ad dādum consilium & aduisamentum eisdem Iusticiarijs nostris ad pacem, super arraignment & deliberationem offendent contra formam Statuti cōcernen sacrosanctum Sacramentū Altaris. But no person shall be indicted of any contempts or offences aforesaid, but only of such as shall be presented within thre moneths next after the offence committed. But in all trials for any such offenders befoze the said Justices, the person complained on and arraigned, shall be admitted to purge or trie his innocencie, by as many or moe witnesses in number, and of as good honestie and credence, as the witnesses be, which be deposed against him. 1. E. 6. 1.

Writ to the Bishop.

1. El. 1. S. Sacraments 1.

9 Justices of Assise in their circuits, and Justices of Peace within the limits of their commission, or two of euery such Just. of P. at the least (whereof one to be of the Quorum) shall haue authoritie in their Quarter Sessions, to enquire of all offences, contempts, and transgressions, committed by any person resistant within any of the Q. dominions, or vnder her power, which shall by writing, cyphering, printing, preaching, or teaching, aduisedly and wittingly stand with, extoll, maintain, or defend the iurisdiction or power of the Bishop of Rome, or his See, heretofore claimed &c. or shall attribute any such Iurisdiction or preheminance to the said

Maintaining the authoritie of the Bishop of Rome.

W b b i y.

said

Iustices of Peace.

said Sea of Rome, or to any Bishop thereof, in like maner as they may of other of fences against the R. peace. And shall certifie euerie presentment befoze them or any of them had, or made, concerning the same, or any part thereof, into the Kings Bench, within fortie daies next after any such presentment made, if the Terme be then open: And if not, at the first day of the full Terme next following the said fortie daies, upon paine that euerie of the said Just. of Assise, or Just. of Peace, befoze whom such presentment shalbe made, making default of such Certificat, to forfeit for euerie default to the Queene, her heires and successors, one hundred pounds. 5. El. 1. S. Rome 1.

Recusants.

10 All and euerie offences committed against the Act provided Anno 23. Eliz. (to retaine the Queens subjects in their due obedience) or against the Acts of the 1. 5. or 13. yeares of her raigne, touching acknowledging of her supream gouernment in causes ecclesiastical, or other matters, touching the seruice of God, or coming to Church, or establishment of true Religion within this Realme, shall and may be inquirable as well befoze Justices of peace, as other Justices named in the same Statutes, within one yeare and a day after euerie such offence committed: And Justices of Oyer and Terminer, and Justices of Assise, and of Gaole Deliuerie, in their seuerall limits, haue power to inquire, heare, and determine of all offences against this Statute. And Justices of Peace in their open Quarter Sessions of Peace, haue power by vertue of this Act to inquire, heare, and determine of all offences against this Act (except Treason, and Conspiracy of Treason) 23. Eliz. 1. S. Rome 2. &c. Sacraments 10. Recusants 1. &c. For the authoritie of Justices of Assise, Gaole Deliuerie, and Peace, touching Recusants, S. 3. Iacobi 4. Recusants 42. 53.

Preachers.

11 All and singular Just. of P. Just. of Assise, Just. of Oyer and Terminer, and all and singular Maiors, Bailifes, and Just. of peace, within any Citie, Borough, or Towne corporat, within any parts of this Realme, within the limits of their Commissions, haue authoritie to inquire of all and singular offences and misdemeanors committed contrarie to the Stat. provided 1. Ma. against offenders of Preachers, and other Ministers of the Church, and to heare and determine the same, and to set fines and amercedments on the said offenders, as in the said Statute is limited. 1. M. 3. S. Preachers 1. &c.

Buggerie.

12 Justices of peace haue authoritie within the limits of their Commissions to heare & determine the offences of Buggerie, as they do in cases of other felonies. 25. H. 8. 6. 5. Eliz. 17. S. Buggerie.

Tiplers.

13 All offences to be done or committed, contrarie to the true meaning of the act made An. 4. Jac. to restraine the utterance of Beere and Ale to Alehouses keepers and Tiplers not licenced, & all penalties therein contained, shall be inquired of, heard for, heard and determined, in the Sessions of the Peace of the Countie, Citie, or Borough, Towne, or Libertie, or in the Court of Record of the Citie, Borough, Towne, or Libertie, wherein such offence shalbe committed, by A. J. or P. wherein no C. P. or ec. shalbe allowed. 4. Jac. 4. S. Alehouses 11.

Souldier.

14 Just. of P. haue power to inquire, heare, and determine the offences of all Souldiers mustring and receiuing the Kings wages, which doe depart from their Captaine within their terme, without licence, as they do and may in other cases of Felonie. 18. H. 6. 19. 2. Ed. 6. 2. S. Captaine 3. Felonie 23.

Carrying of Sheepe.

15 Justices of Oyer and Terminer, Just. of Gaole deliuerie, and Just. of P. in every shire within the Qu. dominions, haue authoritie to inquire of euerie person offending contrarie to the Statute provided against carrying ouer sea, Rams, Lambs, and other Sheepe alieue, and to heare and determine euerie offence committed contrarie to the effect of the same, according to the course of the Lawes of the Realme. 8. Eliz. 3. S. Sheepe 1.

16 At euerie such time as any information shall be made of any unlawfull hunting by night, or with painted faces, in any Forest, Parke, or Warren, to any of the Kings Councell, or to any Justice of peace of the Countie where such hunting shall be, of any person suspected thereof, it shall be lawfull to any of the same Councell, or Justice of peace, to whom such information shall be made, to make a warrant to the Sherife, or to any Constable, Bayliffe, or other Officer of the same Countie, to arrest and take the same person, to haue him before the maker of the same warrant, or any other of the K. Councell, or Just. of peace of the same Countie: And the Councell or Justice before whom such person shall be brought, shall haue power to examine him of the said hunting, and of the doers thereof, and if he conceale the offence, or any offender, it is felonie, and if he confesse the truth, and all that he shalbe examined of and knoweth in that behalfe, then the offence of hunting by him done, shalbe against the King but trespassse finable, to be assessed at the next generall Sessions by the Justices there. And if any rescous, or disobedience be made to any person, having authoritie to doe execution of iustice by any such warrant by any person which should be arrested, so that execution of the same warrant thereby be not had, then the same rescous and disobedience shall be felonie, and the same felonie shalbe enquired of and determined as other felonies beene. 1.H.7.7. S. Forests 1.

Hunting with
Wolves.

17 The Justices of peace of the counties of Norfolk and Cambridge within the Isle of Ely, at euery of their Sessions within the same Isle and counties, haue power to cause enquire to be made of euery offence committed in breaking by, cutting, or casting downe new Bowdike in Warthland in the countie of Norfolk, and old Field Dike by Warthland in the Isle of Ely in the Countie of Cambridge, and to award like proccesse against euery offender, with like iudgement and execution of the same (if he be found guiltie) as the same Just. haue used to do, upon other felonies at the common law. 22.H.8.11.2.&3.P.&M.19.

Bowdike.

18 Justices of P. haue power to heare and determine at the Kings suit all manner of felonies and trespasses committed against the peace in the same Countie: And to restrain offenders, rioters, and all other barrettoes, and to pursue, take and chasten them, to imprison and punish them according to their trespassse and offence, and also to reforme them according to the said Justices discretion: And to take and arrest all those which they can find by indictment or suspicion, and to commit them to prison: And to take of all those which be not of good fame in the place where they remaine, sufficient suertie and maineprie of their good abearing or behaviour towards the King and his people, and the other duely to punish, to the intent that the people be not by such rioters troubled or indamaged, nor the peace broken, nor any passengers by the way disturbed, or put in perill. But the fines which Justices shall assess upon any person for any offence shall bee reasonable, having regard to the fines, quantitie of the trespassse and the cause. 2.E.3.6.18.E.3.2.24.E.3.1.

Felons.
Trespassers.
Barrettoes.

19 Justices of Peace haue authoritie to inquire in their Sessions of all manner of Escapes, of euery person arrested and imprisoned for Felonie, 1.R.3.3. And also to enquire of the escape of any murderer, and to certifie thereof the K. in his bench 3.H.7.1.

Reasonable
Escape.

20 Just. of P. at their Quarter Sessions haue authoritie to enquire as well by the othes of xij. men, as by information giuen to them by any person, of all defaults, offences, and contempts committed against the Lawes and Statutes made and provided (before 16. die Ianuarij, Ann 33.H.8. concerning, or in any wise touching Retainers, giuing of Lineries, Signes, Tokens or Badges, Maintenance, Intemperacie, Bowdikes, Archerie, unlawfull games, Forestallers, Regraters, Victuallers, and Inholders, and euery of them) and to heare and determine the said defaults, offences, &c. And upon any information touching the premises, or any

Retainers.
Maintenance
Intemperacie.
Bowdikes.
Unlawfull
games.
Archerie.
Regraters.
Victuallers.

ny

Iustices of Peace.

ny of them, to make pzoecs by Venire facias, one Capias, and an Exigent, vnder their Seales, against every such person and persons against whom such information or presentment shall be had for their appearance, befoze them in their sessions, to answer to such information or presentment, as shall be there made. And if the person or persons accused by information or presentment, shall be conuict vpon any such information, or etc. by confession or verdict of iij. men: then the said Just. haue power to giue iudgement against every such offendours so conuicted, of imprisonment, forfeiture of money, or both of them, as are limited in the said severall Statutes, for such offences, whereof they are conuict, and to cause execution therof to be made accordingly. 33. H. 8. 10. 37. H. 8. 7.

Telling
newes.

21 J. of P. in every shire, city, and towne corpozat, within the limits of their severall Commissions, shall haue full power to examine, heare and determine the causes specified in the stat. of West. 1. 34. & 2. R. 2. 5. touching contriuing, speaking, or telling any false newes of Prelates, Dukes, Carles, Barons, and other Nobles and Peeres of the Realme etc. and to put the said two stat. and every bzanch in them contained, in due execution, that condigne punishment be not deferred from such offendours. 1. & 2. P. & M. 3. S. Newes 1.

Making of
Mault.

22 It shall and may be lawfull for the J. of P. within this Realme in their open Quarter Sessions, or the moze part of them, by their discretions to suppress, discharge, or restraine the superfluous and unnecessary number of Maulters, in part, or in the whole: and to restraine such person or persons, as to their discretions shall seeme meet, from the buying of Barley to convert into Mault, in part, or in all, for such time as to their discretions shall seeme meet. 39. El. 16. S. Mault 6. &c.

Wilful perjury

23 The Just. of Assise and Gaole deliuerie, in their severall circuits, and the J. of Peace in every County within this Realme, or in Wales, at their Q. Sessions, both within the liberties and without, haue authoritie to enquire of all and euerie the defaults and offences, committed contrary to the Stat. provided for the punishment of such, as shall procure or commit wilfull perjury, by inquisition, presentment, bill, or information befoze them exhibited, or otherwise lawfully to heare and determine the same, and thereupon to giue iudgement, award pzoecs, and execution of the same, according to the course of the Lawes of this Realme. 5. Eliz. 9. 29. El. 5. S. Perjuric.

Prophecies.

24 All and every Justices of Assise, Justices of Oyer and Determiner, and Justices of Peace, haue authoritie to enquire, heare, and determine every offence committed within the limits of their Commission, contrarie to the tenor and meaning of the statute provided. 5. Eliz. against fond and phantasticall prophecies. 5. El. 15. S. Prophecies 1.

Dying with
Logwood.

25 The Justices of Assise, or Justices of Peace, at their Gaole Deliuerie, or Quarter Sessions, shall haue authoritie to indict, and trie such as shall offend, contrarie to the Statute provided 23. El. 9. against dying with Logwood, alias Blockwood, by the vsuall course of indictments and trials in like cases. And after such conuiction, to adiudge the offendours to be set openly vpon the Pillorie. 39. Eliz. 11. S. Dying 2.

Maulters.

26 All Justices of Assise in their circuits, and all Justices of Peace within the limits of their Commissions in their Assises and Sessions, shall and may from time to time enquire, heare, and determine every of the offences committed contrarie to the Act provided 4. & 5. Ph. & Ma. for the taking of Maulters within the precinct of their Commission. And if any person shall be befoze them presented or indicted of any of the said offences, then the said Justices shall and may award such Pzoecs against every such person so indicted, as vpon Indictments of Trespasse is bled to be made. And if any such person so indicted, doe appeare, and confesse the same, or plead to the same Indictment, and after by verdict of twelue men shall be conuicted,

uicted, then the said Justices shall and may award such person to prison, there to remaine without bayle or mainprise, untill he hath paid the one moitie of the forfeiture (specified in the said Act, unto the Quene, and the other moitie unto him, by whose evidence he shall be convicted, and if such conviction shall be without evidence openly given by any person, then the partie convicted shall remaine in prison, untill he hath satisfied the whole forfeiture unto the Quene. 4. & 5. P. & M. 3. S. Capraime 12. &c.

27 All and singular Justices of Peace, as well within liberties as without, within their severall authorities (at any time within three years next after such offences committed) have power to enquire, as well by the othes of twelve lawfull men, as also to heare and examine the Passers and Mariners of the Ships, Crayers, and every other person, of all and singular the offenders against the Act provided. 1. & 2. Ph. & M. for the restraining of carrying cozne, beere, butter, chesse, herring, and wood beyond the Sea, and to heare and determine the same offences, as they may and ought to heare and determine any other trespasses or offences. 1. & 2. Ph. & M. 5. And Justices of peace in their Quarter Sessions, or the greater part of them, may by their writings under their hands and seales, make any determination to the contrary of that, which before was determined by the Just. of Assise, for the transporting of cozne, or restraint thereof, if they shall find the same to be hurtfull to the countrey by the means of dearth, or too much cheapnesse, and to cause their determination to be proclaimed. 13. El. 13. S. Corne 1. 7.

28 Justices of Peace have power at their generall Sessions to heare and determine the offences committed contrarie to the Statute provided for the keeping of Myle kine, and for the breeding and rearing of calves, by bill, information, presentment, action of debt, or detinue: and every person that will, may sue for any penal tie forfeited by the said Statute, within one yeare after the offence committed, before the Just. of P. in the same shire, where such cause of forfeiture shall be had, at the generall sessions, wherein no W. or C. P. or licence to the contrary shall be allowed. 1. & 3. P. & M. 3. 13. El. 25. S. Carrell 3.

29 The Justices of Peace of every Shire within this Realme, within the limits of their commission, have authoritie at every of their generall Sessions, to enquire, heare, and determine the offences of those which shall kill or cause to be killed any wainlings, under the age of two yeares, to the intent to make sale thereof, as well by information, or presentment, as by bill or plaint, wherein no W. or C. P. 24. H. 8. 9. 1. Jac. 25. S. Burchers 2. To continue to the end of the first Session of the next parliament.

30 The Justices of Peace, in every of their Sessions, shall have full power and authoritie to inquire, heare, and determine, as well by presentment of twelve men, as by accusation or information of two honest witnesses, of, for, and upon all and every the offences and forfeitures, committed contrarie to the Statute made Anno 2. Edw. 6. for the true making of Mault, as well for the King, as for the partie that shall sue, procure, or cause the same to be presented. 2. Ed. 6. 10. 1. Jac. 25. To continue until the end of the first Sessions of the next Parliament. S. Mault 1. &c.

31 The Justices of Peace in every Countie within this Realme, or Wales, at their Quarter sessions, have authoritie to inquire, heare and determine all and every the defaults and offences committed contrary to the Stat. provided 5. Ed. 6. against Forcellers, Regrators, and Engrossers, within the Countie, where any such sessions shall be kept, by inquisition, presentment, bill, or information, before them exhibited, and by examination of two lawfull witnesses, or by any of the same waies, by the discretion of the said Justices, and to make Proces thereupon, as though they were indicted by inquisition or verdict, and upon the conviction of the offence

Justices of Peace.

offendoꝝ, by information oꝝ suit of any other then the K. to make extracts of the moitie of the forfeiture to be leuied to the K. bſe, as they do of other Fines, Issues, &c. growne in the Sessions, and to aſward execution of the other moitie foꝝ the Compl. oꝝ Inf. againſt the offendoꝝ by Fieri fac', oꝝ Capias, as the Kings Juſtices at Weſtmiſter do. And if the conuiction be at the Kings ſuit onely, the whole forfeiture ſhall be extracted and leuied to his onely bſe. 5. Edw. 6. 14. 13. Eliz. 25. See Foreſtallers &c.

Recogniſſance
of Badgers,
Dyoners.

32 The J. of P. in their generall Sessions, ſhal oꝝ may by their diſcretions take bond and ſuertie by recogniſſance of euerie ſuch as ſhall be allowed a common Dyoner of Cattell, Badger, Lader, Ladder, Carrier, oꝝ Buyer of Cozne, Grain, Butter, oꝝ Cheſe, that he ſhall not by colour of his licence foꝛeſſall, engroſſe, oꝝ pꝛactiſe any thing contrarie to the tenoꝝ, oꝝ true meaning, oꝝ in defrauding of the ſtat. of 5. E. 6. 14. oꝝ of any thing therein contained. Ann 5. El. 12.

Licence of
Badgers, and
Dyoners &c.

33 The Juſtices of peace in euerie Countie within this Realme, oꝝ Wales, at their Quarter Sessions, haue authoritie to enquire, heare, and determine all defaults and offences, committed contrarie to the ſtat. pꝛouided 5. Eliz. foꝝ the licensing of Badgers of cozne, and Dyoners of cattell, within the Countie where ſuch Sessions ſhall be kept, by inquiſition, pꝛeſentment, bill, oꝝ information, befoꝛe them exhibited, and by examination of two lawfull witneſſes, oꝝ by anie of the ſaid iudges, by the diſcretion of the ſaid Juſtices, and to make pꝛoces thereupon, as though they were indicted by inquiſition oꝝ verdict, and vpon the conuiction of the offendoꝝ, by any information oꝝ ſuit of any other then the Quene, to make extracts of the moitie of the forfeiture to be leuied to the Quenes bſe, as they doe of other fines &c. growne in the Sessions, and to aſward execution of the other moitie foꝝ the Compl. oꝝ Inf. againſt the offendoꝝ by Fieri fac', oꝝ Capias, as the Q. Juſt. at Weſt. do. And if the conuiction be at the Q. ſuit only, the whole foꝛf. ſhall be extracted and leuied to her bſe only. 5. El. 12. S. Badger &c.

Hunting of
Deere oꝝ
Conies.

34 The Juſtices of Oyer and Terminer, Juſt. of Aſſiſe in their circuits, and Juſtices of Peace, and Gaole deliuerie, in their Sessions, ſhall haue authoritie to enquire, heare, and determine all and ſingular the offences committed contrarie to the Statute pꝛouided Anno 3. Regis Iacobi. againſt vnlawfull hunting and ſtealing of Deere and Conies, by examination of the offendoꝝ, and to make and aſward pꝛoceſſe thereupon, as well vpon indictments taken befoꝛe them, as by bill of Complaint, Information, oꝝ any other Action: In which ſuit oꝝ action no Eſcoine, Protection, oꝝ Wager of Law &c. And if any perſon oꝝ perſons at anie time hereafter ſhall be bound, befoꝛe any the Juſtices befoꝛe mentioned, to the King, his heires, oꝝ ſucceſſoꝝ, foꝝ his oꝝ their good abearing foꝝ ſeauen yeares, according to the tenoꝝ of this Act, And the ſame partie oꝝ parties ſo bound, ſhall afterward with in the ſaid ſeuen yeares come befoꝛe the Juſtices of the Peace of the ſaid Countie, where the ſaid offence was committed, oꝝ ſome of them, in open quarter Sessions, and there in the ſaid Sessions confeſſe and acknowledge his oꝝ their ſaid offence oꝝ offences, and that he oꝝ they is, oꝝ are ſozie therefoꝛe, and ſatiſſie the party oꝝ parties grieved, according to the tenoꝝ of this Act: Then the ſame Juſtices, befoꝛe whom the ſaid confeſſion ſhall be made, ſhall and may haue power and authoritie by vertue of this Act, in the ſame open Sessions, oꝝ in any other Sessions afterwards to be holden befoꝛe the ſaid Juſtices in the ſaid Countie, within the ſaid terme of ſeuen yeares, if it ſhall ſeeme good to their diſcretions, to diſcharge the ſaid Recogniſſance and Bond ſo taken, and alſo the ſaid party & parties ſo bound: This Act &c. notwithstanding. 3. Iac. 13. S. Foreſts &c. 9. &c. See 5. El. 21. The like authoritie given to Juſt. of P. to puniſh the vnlawfull taking of Fiſh and Hawkes. See Fiſh. 7. Hawkes 1.

35 Two Juſtices of peace in their Sessions haue authoritie to call befoꝛe them any

any person, having no Parke, Chase, or Fozeft of his owne, which keepeth or can-
seth to be kept any Deere Hayes, or Buckstals, or which stalketh with any Bush or
Beast to any Deere, being in any Chase, Parke, or Fozeft, saving in his owne,
without licence of the Owner, Master of the game, or keeper of the same fozeft, &c.
or which killeth, taketh, or canseth to be taken any Herons, (except by hawking,
or with long bow) or taketh any young Herons out of the nest, without licence of
the owner of the ground, where the nest is, and by their discretions to examine
him in the premises. And if the party examined be found in default contrarie to the
premises, then he shall be committed to prison, untill he hath found suertie for pay-
ment of the fozefture to the B. And the Justices that examine him shall have the
tenth part of every such fozefture for their labour. Anno 19. H. 7. 11. S. Hunting 3.
4. Herons 1. 2.

Buckstals.
Stalking.

Taking of
Herons.

36 Justices of Peace may and shall enquire of all lay men having not lands to
the value of xl.s. by the yeare, and of all Clerkes not having living to the value of
xl.s. by the yeare, which do keepe any dogges to hunt, or doe vse firrets, hayes, nets,
harepipes, cordes, or other engines to take or destroy Deere, Hare, Conies, or other
gentlemens games, and shall punish them by one whole yeares imprisonment. 13.
R. 2. 13. S. Hunters 1.

Hunters.

37 All Justices of Peace, Mayoress, Baylives, head Officers, and Constables, as
well of Cities and Townes corporat, as in every County of this Realme, shall
have authorizty yearely in the time of Lent, to enter into all houses of victuallers,
and common victualling houses, within their iurisdiccions, where offences shall be
suspected to be committed, contrary to the Stat. of 1. Jac. 29. and finding any oven,
beenes &c. killed or dressed, shall take and seize as fozeft, and give the same to priso-
ners, and other poore folkcs, by their discretion. 1. Jac. 29. S. Fish daies 7.

Eating flesh
in Lent.

38 Justices of Peace have authorizty to heare and determine as well by inquit-
tition as information, & pfoofes, the offences of all those which shall take, or cause to
be taken, any Felants or Partridges, by nets, snares or other engines, out of their
owne warren, upon the freehold of any other person, without the licence of the ow-
ner or possessor. 11. H. 7. 17. S. Felants 1. And the Justices of Assise in their circuits,
and Justices of Peace in every Shire, Countie, and Towne corporat within
this Realme in their Sessions, within the severall limits of their Commission,
shall and may enquire, heare, and determine of all and every offence and offences,
which shall be committed within the precinct of their liberties, iurisdiccions, or fran-
chises, against the tenor of the Act provided 23. Elizab. for the preservation of Fe-
lants and Partridges. And every Justice of Peace within every Countie of this
Realme, shall within the limits of his commission, have power to examine all of-
fendours in any article of the same statute, within the Countie where he is or shall
be Justice, if so be that the said offence or offences shall not before be heard or deter-
mined by the Justices of Assise in their circuits, or by the Stewards of Lanes, Li-
berties, or Lawdaies, within their severall iurisdiccions, and also to take bond with
good suerties, for his and their apparance that shall so offend, to appeare at the next
generall sessions of the peace to be holden within the same county where the same
offence shall be committed, to answer the said offence, and to pay the penalties or re-
ceive the punishment by this act appointed, 23. El. 10. S. Felants &c. 2. 3. 4. 5. Leers 18.
And all Justices of Assise in their severall circuits, and all the Justices of the peace
in their general quarter Sessions, and any two Justices of B. or more together, out
of any sessions, shall and may have authorizty to examine, heare, punish, and deter-
mine, all offences to be committed against the Stat. made 1. Jac. touching shooting in
gunnes, and the preservation of the game of Felants &c. and to administer oaths,
and to performe and execute all and every act and thing requisite for the due execu-
tion of the said Act. 1. Jac. 27. S. Felants 6. &c.

Felants,
Partridges.

Examining of
offendours.

Preservation
of Felants,
Deere, &c.

Justices of Peace.

Hawkes eggs.

39 Justices of P. haue authoritie to heare and determine, as well by Inquisition, as Information, and proofs, the offences of all them, which shall take, or cause to be taken, the eggs of any Faucons, Goshawks, Laners, or Swannes, out of the nest, or shall take any Cirer, Faucon, Goshawe, Terrell, Laner, or Laneret, or purposely drive them out of their courts accustomed to breed in, or cause them to go to other courts to breed, or kill them for any hurt by them done. 11. H. 7. 17. See Hawkes 3. 4.

Destroying of fish.

40 Justices of Peace in their sessions, Justices of Oyer and Determiner, and Justices of Assise in their seuerall circuits, haue authoritie to enquire, heare, and determine all offences committed contrary to the statute provided: Eliz. touching the taking, killing, or destroying of fish, or frise and spawne (which be not presented at the Ale to where they shall be committed) within one yere next after the offence committed. 1. El. 17. S. Fish 3. 4. Leete 6.

Conservatoys of Salmons.

41 The Justices of peace of all the Countiees of England, shall be Conservatoys of the Stat. provided 13. Edw. 1. & 13. R. 2. for the preservation of Salmons, in the Countiees where they be Justices. And they and every of them, at all times when they may attend, shall suruey the offences attempted against the said Statutes. And shall suruey and search all the Weares in such riuers, that they shall not be very strait for the destruction of frise and brood, but of a reasonable widenesse after the old assise accustomed, and if any of them shall find default against the said Statutes, he shall punish the offendor according to the content of the same Statutes. And the same Justices, shall appoint vnder them good and sufficient vnder-conservatoys, which shall be sworne to make like surueying, search, and punishment without any fauour shewed. And the same Justices in their sessions shall enquire as well by their office, as at the information of the said conservatoys, of all trespasses and offences, committed against any point of the said Statutes, and shall cause them which be thereof indicted, to appeare before them: And if they be thereof convicted, they shall be imprisoned, and make fine after the Justices discretion, and if the same be at the information of any of the vnder-conservatoys, he shall haue the one halfe of the same fine. 17. R. 2. 9. S. Fish 1.

Vnderconservatoys Sworne.

ware Chandlers.

42 The Justices of Peace in every Countie where they be Justices, shall haue authoritie to enquire, heare and determine, all things done against the Statute 11. Hen. 6. 12. ordained for Ware Chandlers. And as well every Justice of Peace in the Countie where he is Justice, as Payors and Bayliffes within Cities and Boroughs, and Stewards of Leets shall haue power to examine and search as well by weights of wozkes of ware, as by their discretion, of them that shall offend against the said Statute, and to punish them that shall be found guiltie. 11. Hen. 8. 12. See Ware 8.

Hospitalitie.

43 All Justices of P. in every shire, where any offence shall be committed contrary to the true intent of the act made 27. H. 8. (whereby religious houses of monks, Chanons, Priests, which might not dispend in lands &c. above the cleere yerely value of two hundred pounds, were given to the said K. H. 8. his heires and successors for ever: And whereby all persons, and bodies politicke and corporat, to whom the said K. his heires and successors should give, grant, let, or demise, any Site or precinct with the houses thereupon builded, with the demeanes of any of the said Religious houses, by that act dissolved, be bound to keepe, or cause to be kept an honest continuall house and household in the same Site or Precinct, and maintaine Tillage) shall every quarter and generall Sessions, within the limits of their commission, enquire of the premises, and haue full power and authoritie to heare and determine the same, and to take and asseesse no lesse fine for every of the said offences then in the said statute is limited for the same: And the distresses thereof shall be certified into the Exchequer accordingly, and at such time and sozme as other distresses of

of fines, issues, and amerancements beene made by the said Just. 27.H.8. S.Husbandrie 1.

44 The Justices of Assise, or J. of P. in every countie within this realme at the assises, or quarter or generall Sessions, shall have full power and authoritie to enquire, heare, & determine all and everie the defaults and offences committed or done contrary to the act made (An 39.El. for the maintenance of husbandrie and tillage) within the county where any such assises or sessions shalbe kept. 39.El.2. S.Husbandrie &c. 25. And the J. of assises to be holden within everie county of this realme, shall have full power & authoritie to enquire of, heare and determine all and everie the defaults & offences committed contrarie to the Stat. provided an 39.El. against the decaying of townes & houses of husbandrie, within the countie where any such assises shalbe kept upon inquisition, indictment, bill, or information, to be exhibited befoze them. 39.El. 1. S.Husbandrie and Tillage 2. &c.

Husbandrie and Tillage.

Townes.

45 It is lawfull to all Justices of Peace in their Sessions, to enquire, heare, and determine everie offence committed contrarie to the tenor of the Statute made 33.Hen.8. concerning Crossebowes and Handguns, so that alwaies no lesse fine than ten pounds be assessed upon everie presentment, and conviction made, according to the due course of the Law, the same fine upon every such presentment and conviction, to be levied onely to the Kings use. And if any Jurie swozne and charged to enquire for the R. of any offences committed contrarie to the said Statute, doe wilfully conceale any of the said offences: then the Justices befoze whom any concealment shall bee had, have authoritie to charge and sweare another Jurie, to enquire of everie such concealment, and if such concealment bee found and presented by the said Jurie, then everie of the first Jurie shall forfeit for every such concealment of everie offence xx.s. to the King. And everie Justice of Peace, upon due examination and pzoofe befoze him made of any person offending contrarie to the forme and effect of the said Statute, and arrested and brought to him by any other person, perceiuing any such person to offend, hath power to commit the same offender to the next Gaole, there to remaine untill such time as the penaltie specified in the said Statute, shall bee truly payed by the said offender: the one moitie to the King, and the other to the first bringer of the said offender to the same Just. But if the presentment, suite, or punishment for any thing forfeited by the said Statute to the R. be not commenced, or made within one yeare next after the offence committed, the said offender shall be thereof cleerely discharged. 33.H.8.6.S. Guns.

Crossebowes Handguns.

The Jurie concealing offences.

46 Justices of Peace have power to enquire & determine all the offences committed contrarie to the Stat. provided. 8.H.5. concerning the gilding of mettall, and other things. 8.H.5.3. S.Gold 7.

Gilding.

47 Justices of peace in everie Shire, Riding, and other place in their quarter Sessions, have authoritie to enquire of all defaults, contempts, omissions, and offences, committed contrarie to the effect of the Stat. provided 32.H.8. concerning the breeding of hoxses of higher stature: And to heare and determine every presentment found befoze themselves, or by the Steward, Deputie, or Court-holder of the same Let or Latoday, as well by examination as otherwise: And the one halfe of all forfeitures specified in the said Stat. shalbe to the R. and the other to y person that will sue for the same, befoze the same Just. by W. J. &c. 32.H.8.13.S.Horses 3.4. 5.6.7.8.9.

Breeding of Hoxses.

48 The Justices of Assises, and Justices of Peace, have power within the limits of their authoritie, to heare and determine the defaults done contrarie to the Statute provided 33.H.8. concerning the keeping of great hoxses, as well by presentment as by information befoze them, as in other cases of trespassse and contempts done against the forme of any Statute, and shall set no lesse paine upon such persons

Keeping of Hoxses.

Iustices of Peace.

persons, as shalbe convicted, by confession or trial, for offending the said act, than in the said Act is limited. 33. H.8.5. S. Horses 10.11.12.

Transporting of horses

49 It is lawfull to the Warden and Wardens of the East, West, and Middle Marches for the time being, in their Warden Courts, and to the Ju. of P. in every Shire, aswell in England as in Wales, in their quarter sessions, to enquire of all offences committed contrary to this act ordained 1.E.6. that no horses should be conveyed out of this realme and other the R. dominions without licence. 1.Ed.6.5. S. Horses 14.15.16.17.

Horsebreed.

50 Iustices of peace in euery Shire, Libertie, or Franchise, within this realme, haue authoritie to enquire, heare, and determine the defaults & offences of Horses and Inholders, bating horsebreed, which is not sufficient, lawfull, & of due assise, according to the price of coyn, & to set such fines, and make like proces thereupon, as is commonly used to do upon presentments of trespass against the peace. 32. H.8.41. S. Inholders 2.

Leather.

51 All Iustices of assise, Just. of Gaole delinerie, & Just. of P. shal enquire, heare, and determine in their Sessions, all offences committed within their severall precincts, liberties, & jurisdictions, contrary to the stat. provided 1. Jac. touching Tanners, Curriers, Shomakers, and other Artificers occupying the cutting of leather, and also shal by their discretions examin all persons suspected to offend the said act, or any parcell thereof. 1. Jac. 22. S. Leather 45.

Wages of Knights of the Parliament.

52 All Just. of the R. Bench, and of the common pleas, Ju. of Assises and gaole delinerie, and Ju. of P. haue power in their countie, to enquire, heare, & determine all defaults and offences committed by any person within the limits of their commission, contrarie to the stat. provided 23. H.6. for the leaping and paying of the wages of the Knights of the Parliament, as well by enquire at the R. suit, as by action at the parties suit, 23. H.6.11. S. Parliament 12.

Stollen horses.

53 Ju. of P. in every place and countie as well within liberties as without, haue authoritie in their sessions, within the limits of their authoritie & commission, to enquire, heare, & determine all offences committed contrary to the stat. provided 2. & 3. P. & M. against the buying of stollen horses, as they may do any other matter triable before them, & euery person that will, may sue for any summe for. by the said stat. before the Just. of P. 2. & 3. P. & M. 7. S. Maiors 4.5.9.

Counterfeiting letters, tokens.

54 Aswell the Ju. of assise for the time being, as also two Ju. of P. in every countie, citie, borough, towne, & franchise, whereof one to be of the Quorum, haue authoritie to conuent by proces, or otherwise, to the generall sessions, any person being suspected of any deceitfull getting into his hands, any mony, or other things of any other persons, by colour of any false token, or counterfeited letter made in any other mans name, and to commit him to ward, or let him to baile, butill the next general sessions, and there to be further ordered by their discretions. 33. H.8.1. S. Counterfeiting. &c.

Arrowheads.

55 Just. of P. in every countie, haue power to enquire of all false makers of Arrowheads & Narels, and to punish them according to the stat. in that case provided 7. H.4.5. S. Arrowheads 1.

Artificers.

56 All and singular Just. of assise, and Ju. of P. haue authoritie to enquire, heare and determine, at all and euery their sessions, all & singular offences committed by Artificers, Workmen, Labourers & Victuallers, against the Stat. for them provided 2. Ed.6. and to punish the offender, according to the tenor of the same stat. 2. Ed. 6.15. S. Artificers.

Infomers.

57 Iustices of Dyer and determiner, Just. of Assise in their circuits, and Just. of P. in their quarter Sessions, haue authoritie to heare and determine all offences committed, contrarie to the true intent and meaning of the stat. provided 18. El. 1. to redresse disorders in common Infomers upon penall laws. 18. El. 1. 27. El. 10. S. Actions

ACTIONS popular 4.5.6.7.

58 Justices of Peace in everie Countie, haue power to enquire, heare, and determine, as well at the suite of the King, as of him which shall sue, of any thing committed contrarie to the statute provided against Purueyors, which will take or buy any thing of the value of xl.s. or vnder, of any of the Kings liege people, without making readie payment in hand for the same, against Constables, Tythingmen, and chiefe pledges, which vpon request doe not assist the owners to withhold and resist such Purueyors and buyers, and against such of the Kings officers, as do procure any of the Kings people to be arrested, impleaded, or bered, for such withholding, or not suffering, &c. and thereof to make due punishment and execution, and to award damages to the plaintife, when the plaintife is duly conuict. 20.H.6.8.S. Purueyors 22.

59 Justices of peace haue power to enquire, and hold plea of any offence committed by any of the Kings Purueyors, or other which do buy or take cozne, by any other measure, but by the striked bushel, & eight of them for the quarter, & which do take cartage therfore, and do not make readie payment: and thereupon aswell at the Kings suit, as at the parties, to punish them, according to the stat. in that case provided. 1. H.5.10 S. Purueyors 16.

60 The Chauncelour or his Vicechancelour, or Commissarie for the time being, in either of the Vniuersities of Cambridge and Oxford, with two Justices of Peace of the Counties wherein the said Vniuersities be set, haue power to enquire by the othes of ry. men, of, and vpon the defaults and offences committed contrarie to the statutes (ordaining in what cases Purueyors may take victuals within five miles of Cambridge and Oxford, and in what case they may not) & to see due punishment and reformation thereof, according to the said statutes. 2.& 3.P.& M.15.13.El.2 1. S. Purueyors 32.

61 All and everie Justices of Oyer and determiner, and Justices of Assises in Linnen cloth, all their Sessions, and all Ju. of P. in every countie, and place of this realm, or thize of them at the least, wherof one to be of the Quorum, haue power to enquire, heare, and determine in their Sessions, of all persons which do wittingly vse any deceitfull act or mean with Linnen cloth, wherby the same is made woyle for the vse thereof, by Information, Indictment, or vpon the Trauerse of any presentment or indictment found before them, or any of them. And the Justices before whom any offence shalbe found, shal certifie the same by estreat into the Exchequer at Michaelmas, as they be bound to do other estreats. And the Barons of the Exchequer haue power to make proccesse for so much thereof, as by this stat. shal appertaine to the D. 1.El.12 S. Linnen cloth 2.

62 The Justices of P. within everie shire, at the generall sessions holden at Michaelmas, shal appoint two certain persons, hauing experience in Pewter & Brasse to make search therein &c. in every part of that shire, aswel within franchise as without (sauing in cities or boroughs, where searchers be appointed by the gouernours of the same.) 19.H.7.6.4.H.8.7. S. Pewterers 5.

63 Justices of Assise, of Gaole deliuerie, and Ju. of P. haue power to enquire in their sessions of all & every branch of the stat. provided 33.H.8. for the maintenance of artillerie, of Butts, & for the making and selling of bowes, and to heare & determine the same. And also by their discretions to examine all persons lacking and not hauing bowes & arrowes, according to the said statute. 33.H.8.9. S. Archerie, Bowes 3.4. Butts 1.

64 It is lawfull to all and every the Justices of peace in every shire, Maiors, Sheriffs, Bailiffs, and other head Officers within every Citie, towne and borough, within this Realme, from time to time, as well within liberties as without; as need & cause shall require, to enter and resort into all and every houses, places, and

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allies, where vnlawfull games shalbe suspected to be vsed contrary to the statute in that case provided. 33.H.8.9.S.Plaies &c.5.

Horsestealing

63 The Ju. of P. of every place & countie, aswel within liberties as without, shal haue authoritie in their sessions, within the limits of their authoritie & commission, to enquire, heare, & determine all offences committed against the stat. provided ann 13.El.to auoid horse stealing, as they may do any other matter triable befoze them. 31.El.12.S.Faires 7.8.

Labourers.

66 The Iustices of peace of every Shire, Kinding, and Libertie, within the limits of their seuerall commissions, or the moze part of them, being then resident within the same, and the Sherife of the Countie (if hee conueniently may:) And euerie, Maioz, Bailife, and other head Officer, within any citie, or towne corporate, wherein is any Iustice of peace, within the limits of the said Citie, Corporation, &c. shall yerely at euerie generall Sessions, first holden after Easter, or within sixe weeks next after Easter, assemble themselves together, and calling vnto them such graue and discret persons of the said Countie, Citie, Towne, &c. as they shal thinke mete, and conferring together, respecting the plentie or scarcitie of the time, and other circumstances necessarie, shall haue authoritie within the limits of their seuerall commissions, to limit, rate, and appoint the wages of Artificers, Handicraftsmen, Husbandmen, Labourers, Seruants, Workemen, Apprentices of Husbandrie &c. as they shall thinke mete to be rated, limited, &c. by the yeare, or by the day, weeke, moneth, or otherwise, with meat and drinke, or without, and what wages euerie workeman and labourer shall take by the great, for mowing, making, reaping, or threshing of Corne, and Hay, or for ditching, paling, raling, or hedging by the Rod, Perch, Lugge, Ward, Pole, Rope, or Fwt, or for any other kind of reasonable labours, or service. 5.El.4.

Rating of wages.

What workemens wages the Iustices may rate.

Sessions kept in seuerall places of the Shire for seuerall diuisions.

Proclamation of the rates of wages.

The said statute, and the authoritie by the same statute giuen to any person or persons for assessing and rating of wages, and the authoritie to them in the said Act committed, shall bee expounded and construed, and shall by force of this act giue authoritie to all persons, hauing any such authoritie, to rate wages of any Labourers, Weauers, Spinners, and workemen or workewomen whatsoener, either working by the day, weeke, moneth, yeare, or taking any worke at any person or persons hands whatsoener, to be done in great or otherwise. And the Iustices of peace or the moze part of them, resident in such diuision in any Shire within this Realme, where in diuers hires within this Realme, the Iust. of peace haue not vsually kept their general sessions in one place of the Shire together, but the generall Sessions haue beene kept in seuerall places for seuerall diuisions, shall at the same generall Sessions to bee holden for the same Shire, Diuision, Kinding, or Libertie, or at such time of rating of wages, as is limited by the said Act made Anno 5.Eliz. haue as full authoritie and power, to rate all manner of wages to be rated within the limits of such diuision in any such Shire, as if the same were done in the generall Sessions for the said Countie, or by the most part of the Iustices, meeting for the rating of wages by the said Act. And after the rates made for wages, and ingrossed in parchment vnder the hands and seales of them hauing authoritie to rate the same, it shall and may be lawfull to the Sherife of the said Countie, or to the Maioz or chiefe Officer or Officers of any city or towne corporate, to cause proclamation to be made of the seuerall rates so rated, in so many places within their authorities, as to them shall seeme conuenient, & as if the same had beene sent downe printed by the Lord Chaunceloz or Keeper, after declaration thereof to his Maiestie, and Certificate of the same into the Court of Chancery: and euerie person and persons shalbe bound to obserue the said rates in giuing and receiuing wages, vpon the paines and punishments mentioned in the said Act, and to be recouered or punishment inflicted, as in the said Act is mentioned. No person or persons shall incurre any danger or penaltie, for not making Certificat into the Chancery.

Chancerie, of any rates of wages appointed to be certified by the said Act made in the said Anno 5. Eliz. So as the same be proclaimed according to the true intent of this Law. But the said rates ingrossed in parchment, and sealed as aforesaid, shall if the same be in any Shire, be kept by the Custos Rotulorum of the said Countie amongst the Records in his custodie for the said Shire: And in any Citie or Towne corporate, among the Records of the said citie or towne corporate. If any Clothier, or other shall refuse to obey the said order, rate, and assessment of wages, as aforesaid, and shall not pay so much or so great wages to their weavers, spinners, workmen or workwomen, as shall be so set downe, rated, and appointed, according to the true meaning of this Act, Then everie Clothier & other person & persons so offending, shall forfeit for everie such offence to the partie grieved r.s. And if the said offence and offences of not paying so much or so great wages to their said workmen, workwomen, or others, shall be confessed by the offender, or that the same shall be proved by two sufficient and lawfull witnesses, before the Ju. of P. in their quarter sessions, the Ju. of Assise in their Sessions, or before any two Ju. of peace whereof one to be of the Quorum, Then everie such person shall stand and be in law convicted thereof, which said forfeiture of r.s. shall be levied by distress, and sale of the offenders goods, by warrant from the J. before whom any such conviction shall be had, which sale shall be good in law against any such offender and offenders. So Clothier being a J. of peace, in any precinct, or libertie, shall be any rater of any wages for any weaver, tucker, spinner, or other artisan, that dependeth upon the making of Cloth: and in case there be not above the number of two Justices of the P. within such precinct or libertie, but such as are clothiers: in such case the same wages shall be rated & assessed by the maior part of the Common Councill of such precinct or libertie, and such Just. or Justices of P. (if any there be) as are not clothiers.

The rates of wages sent, ingrossed and kept by the Custos Rotulorum.

A Clothier refusing to pay wages.

A clothier a J. of peace.

39. El. 12. 1. Jac. 6. To continue until the end of the next parliament.

67 If all the Justices of peace resident within the Counties where they be Justices, and the Mayor, head Officers, &c. doe not yearly assemble at the generall sessions holden after Easter, or within 6. weekes next after, and limit and rate the wages of Servants and Labourers, or shall not consider whether the former rates made be meet to be continued, or to be altered and reformed, or be negligent in the certifiat thereof: Then everie such Justice, Mayor, &c. in whom any such default shall be found, being within the said countie, citie, town, &c. at the time of the said sessions, or at the time of the said rates of wages to be set within six weekes next after the sessions, and not visited with any such sicknesse, as he could not travell thither without danger of his life, or not having any other good excuse to be allowed by the J. then assembled for the rating of wages, or by the moze part of them (upon a corporate oath, and Affidavit, to be openly taken before the Justices upon the holie Evangelists, by some credible person assessed in the Booke of Subsidie of that countie to v.l. at the least, or by such other person, as the most part of the Just. shall allow to take such oath) shall forfeit for every such default and negligence unto the R. x. l. s. Eli. 4.

All the Just. shall assemble at the rating or altering of wages.

68 The Justices of peace of everie countie, dividing themselves into severall limits, and everie Mayor and head Officer of any Citie, Towne corporate, &c. shall yearly betweene the feasts of S. Michael, and the Nativitie of our Lord, and betweene the feasts of the Annunciation of our Ladie, and of S. John Baptist, by all such waies and meanes, as to their wisdomes shall be thought meet, make a speciall and diligent inquirie of the branches and articles of the Statute made 5. El. for Artificers, Labourers, Servants of Husbandrie, and Apprentices, and of the good execution of the same, and where they shall find any faults, to see the same severely punished without favour, malice, or displeasure. And the said Justices, or two of them, whereof one to be of the Quorum, and the Presidents and Councill establi-

Inquirie of the execution of the Stat. of Labourers,

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med in the Marches of Wales, and the North, and the Maioz and head Officers of euerie Citie, Towne corporate &c. haue power to heare and determine of all offences committed against the foresaid Stat. or against any branch thereof, as well vpon an indictment to be taken befoze them in the Sessions of the peace, as vpon action of debt, or bill of complaint, to bee sued by any person, and shall and may make process against the defendant, and award execution, as in other cases they may, & shall certifie the estreats in Michaelmas Terme into the Erchequer, in like sort as they be bound to certifie the estreats for other offences: And euerie J. of W. Maioz, Bailife, and head Officer, shall haue for euerie day that he shall sit in, and about the execution of this Statute allowed vnto him v. s. of the fines and forfeitures of the penalties due to the M. by force of the said Statute in such manner, as the said J. haue bin commonly paid for their coming & charges at the quarter Sessions, so that the sitting of the said Just. Maioz, &c. bee not at any time aboue thre daies, for the matters contained in the Stat. 5. El. 4. S. Labourers.

Every Just.
allowed v. s.
a day.

High-waies.

69 The Justices of peace of euerie place or Countie, in default of inquirie or presentment thereof made within the precinct of any Leete, haue authoritie to enquire of all the offences committed within the limits of their commission, contrary to the Statute provided 1. & 3. P. & M. for the amending of high-waies, at their quarter Sessions, and to assesse such fines therof, as they, or two of them, wherof one to be of the Quorum, shall thinke meet: And the Clerke of the Peace shall make estreats indented, of the fines, forfeitures, and amercedments, for the defaults presented befoze the said Justices, and shall deliuer the one part thereof sealed, and signed by him to the Bailife or high Constable of euerie Hundred, Rape, Lath, or wapentake, wherein the defaults shal be presented, and the other halfe to the Constables and Churchwardens of the parish wherein the defaults were made, to be yearely deliuered within fire weekes after the feast of S. Michael. 1. & 3. P. & M. 8. 5. El. 13. And the Superuisor appointed for the amending of high-waies, within one moneth after any offence committed contrarie to the true meaning of either of the said Statute, shall present euerie such offence to the next Justices of peace for the time being, which Justices shall certifie the same presentment at the next general Sessions within the said countie, vpon paine to forfeit for euerie offence not certified v. s. And the Justices of Peace of euerie Countie whers such offences shall be committed, haue authoritie to enquire therof, within the limits of their commissions, at euerie their quarter Sessions, and to assesse such fines for the same, as they or two of them (wherof one to be of the Quorum) shall thinke meet. And euerie Justice of W. hath authoritie vpon his owne proper knowledge, in the open general Sessions, to make presentment of any high-way, not well and sufficiently repaired, or of any other default, or offence committed within the limits of his commission, contrarie to the provision or intent of either of the foresaid Statutes, and euerie such presentment shal be as good, and of the same force in the law, as if the same had bin presented, and adiudged by the oaths of twelue men: And for euerie default so presented, the Justices of W. of the said countie, shall immediatly at the said general sessions, assesse such fines, as to them or two of them, wherof one to be of the Quorum, shal be thought meet. Sauing to euerie person touched by such presentment, his lawfull trauesse to the same presentment, as they might haue vpon any indictment of trespass, or forcible entrie by the laws of this realme. 5. El. 15. And all and euerie Just. of Assise, Just. of Oyer & determiner, and Just. of peace in their Sessions, shall heare and determine euerie offence, matter & cause, that shall grow or arise by reason of the Statute provided 18. El. for the amending of high-waies. 18. El. 9. S. High-waies.

Bridges:

70 The J. of peace of euerie Shire of Realme, Franchise, Citie, or Borough, or foure of them at the least, wherof one to bee of the Quorum, haue power to enquire

quire, heare and determine in the generall Sessions, of all manner of annoyances of byldges broken in the high waies, and of all annoyances of hightwaies, which lye next adioyning to the ends of byldges, and being distant from the said ends 300. foot, to the damage of the A. people, and to make such pces and paines upon every presentment befoze them made, for the refozation of the same, against such as ought to be charged for the making or amending of such byldges or hightwaies as the Kings Just. of his Bench use commonly to doe, or as it shall seeme by their discretions necessarie and conuenient for the speedie amending of the same. 22. H. 8. 5. S. Bridges.

71 The J. of P. of euerie Shire, Citie, Bozough, Towne corporat, Franchise, Alehouses, or Libertie, or two of them at the least, whereof one to be of the Quorum, shall haue authoritie within the limits of their iurisdiction, to discharge common selling of ale and bere, in common Alehouses, and Tiplinghouses in such Townes and places, where they shall thinke meet. 5. & 6. Ed. 6. 25. S. Alehouses.

72 The Just. of P. within the Counties of Pozke, Lancaster, or any other the Counties on the North side of Trent, in their quarter Sessions, shall and may enquire, heare, and determine every fault or offence, made or done contrarie to the Act made An. 39. Eliz. against the deceitfull stretching and tainting of Northern cloth, or any thing therein contained (except the offences committed, and forfeitures made by the Just. of of P.) by presentment, bill, or information, and upon prooffe thereof made by 2 testimonies of two sufficient witnesses openly giuen to the Jurie, and thereupon presentment made by the Jurie, to giue order for the execution of the said Act. and euerie clause therein contained, and for the recouerie of the penalties in the said Statute mentioned, to the uses in the same rehearsed. And the Just. of A. use, shall and may enquire, heare and determine, euerie fault or offence, made or done by any Just. of peace, contrarie to the said Act, in neglect of their duty, in, or about, touching or concerning the execution of the said Act, and upon prooffe thereof made by two sufficient witnesses, and by the presentment of the Jurie, shall and may giue order for recovery and imploiment of the penalties and forfeitures by them committed and made, to the uses aforesaid. 39. El. 20. S. Draperie &c. 112. 120. &c.

Stretching of cloth.

J. of A. use shall enquire, heare and determine the offences of the J. of peace.

73 It shall and may be lawfull, to and for the Justices of Peace of any Countie or Citie in this Realme, or the dominions of Wales, assembled at any quarter Sessions of the peace within the same countie, citie, bozough, or towne corporate, or the moze part of them, to set downe order to erect, and cause to be erected, one or moze houses of correction within their severall counties or cities &c. 39. Eliz. 4. S. Vagabonds 1.

Houses of correction.

74 Any two or moze Just. of the Peace within all the severall shires, cities, bozoughs, or townes corporate (whereof one to be of the Quor) shall haue full power to heare and determine all causes that shall growe or come in question by reason of the Act provided for punishment of Rogues, Vagabonds, and sturdy beggers. 39. El. 4. S. Vagabonds 12.

Vagabonds.

75 The Justices of peace within any Countie of this Realme, or Wales, shall not intronit or enter into any Citie, Bozough, or Townes corporate, where be any Justice or Justices of the peace for any such citie, bozough, or towne corporate, for the execution of any branch, article or sentence of the Act provided for punishment of Rogues, Vagabonds, and sturdy beggers, for or concerning any offence, matter or cause, growing or arising within the Precincts Liberties or Jurisdiction of such citie, bozough, or townes corporate. But it may and shall be lawfull to the Just. and Just. of the P. Bayors, Bailifes, and other head Officers of those cities, bozoughs, and townes corporate, where there be such J. of the P. to proceed to the execution of this Act, within the precinct and compass of their liberties, in such manner

Vagabonds.

Iustices of Peace.

ner and forme as the Just. of P. in any countie may or ought to do within the same countie by vertue of this Act, any thing, &c. 39.El.4. S. Vagabonds &c. 8.

The poore.

76 Justices of peace shall appoint Overseers of the poore in every parish, and take their accounts, and commit them to prison which refuse to pay their assessed contribution towards the relief of the poore, and those which refuse to account. And may assess the inhabitants of one or more parishes to relieve the poore of another parish being thereunto unable. And they shall rate every parish to a weekly summe to be sent to the reliefe of the prisoners in the B. Bench & Marshalse, & of such hospitals and almes houses as shalbe in the said county. And they shall appoint Treasurers to collect and pay the same money. Maiors, Bailifes, and other head officers of corporat towns within their iurisdicions, shal haue the same authoritie: And euerie Alderman of London within his ward, and no other Just. of P. shall enter or meddle there. 43.El.3. S. Poore 1.&c.

**Reliefe of
Soldiers &
Mariners.**

77 The Just. of P. of every County within this Realme, within their severall limits at their quarter Sessions, or the more part of them their assembled, shall haue authoritie yerely to collect, of themselves, or other sufficient men of the same countie Treasurers for the collection of the reliefe of Soldiers & Mariners, which Treasurers of in every county to be choson, shal continue, do, performe and giue by their charge, in such sort, maner, and forme, and for such time as is set forth by the act made 43.El. and vnder such and the like penalties. 43.El.3. S. Capitaines &c. 18.

Brewers.

78 The Just. of P. of euerie Shire, where any Ale-brewer, or Beere-brewer doth dwell (out of a Citie, Borough, or towne corporat, or other place where no head Officer hath any rule) haue power to sesse and take by their discretions, the pices of euery barrel, kilderkin, or firkin, of Beere and Ale. And the Ale and Beere-brewers, shall not sell their Ale and Beere at any higher pices, then shall be to them by the said Justices assigned. 23.H.8.4.S. Brewers.2.

Wells.

79 The pices of all barrels, kilderkins, firkins, and other vessels to be sold for Ale, Beere, or Hope, to be vttered therein (where such vessels shall be made or sold out of any citie, borough, or towne corporat) shalbe tared by the Just. of P. or the more part of them, being present in the quarter Sessions yearely next after Easter, at such pices as they shall thinke reasonable. 8.El.9.S. Coopers 1.

**Officers de
faults.**

80 The Just. of A. J. of Gaole deliuerie, J. Dier and Terminer, or J. of P. within any of the counties of Cumberland, Northumberland, Westmerland, and the Bishopricke of Durham, at any of their generall Sessions, shall haue authoritie to enquire, heare, and determine, the offences and defaults of Sheriffs, Maiors, Bailifes, Aldermen, and Clerks of the P. within the said counties committed contrarie to the stat. provided 43.Eliz. and to proceed against them by Information or Indictment, and to punish them by fine, imprisonment, or otherwise, as they shall thinke fit. 43.El.13.S. Robberie 1.&c.

**Keepers of
ferries and
passages.**

81 The Justices of peace within the Counties of Gloucester and Somerset, at their quarter Sessions, haue authoritie to call vpon them all such persons which doe keepe any ferrie or passage ouer the riuer of Senerne into Wales, or the Forrest of Deane, or out of Wales, or the said Forrest into England, and to bind them with sufficient surties with them in recognisance, in such summes of money as it shall seeme to the discretion of the said Ju. that they and enery of them, being passengers, and keepers of ferries and passages, shall not after the sunne being set at the night, or befoze the sunne rising in the morning, conuey, or carrie, or cause to be conueyed or carried, any manner of person or persons, or any kinde of cattell, but such persons as they doe knowe and will answer for, and to knowe where their abiding, dwelling, and habitations be, and vpon request made to them or any of them shall from time to time disclose, as well the same person or persons, as the goods and cattels so having the said passages, vpon fresh suit made vpon any felonie, murder,

murder, or robbery, committed in the borders of the said counties of Gloucester and Somerset, or in any other place within England, or Southwales. 26.H. 8.5. S.Boats &c.12.

82 Justices of peace, or two of them at the least, of the Shire where any towne, village, or Hamlet not corporat is, where any cloth shall be made or sold, have full power once everie yeare, to call upon them by their precept, or otherwise, y.iii.bj. big, or moe (as they shall thinke good by their discretion) of the most honest, discreet, and indifferent men of everie such towne, village, or hamlet, where any cloth shall be made or sold, and them shall appoint to be Overseers for one whole yeare then next following, within the towne, village, or hamlet, where the same overseers shall be dwelling, charging them also upon their oathes, and as they do tender the honor and common wealth of the Realm, that they do endeavour themselves for that yere, to see the Stat. provided 3.Ed.6. for the true making of woollen cloth, to be observed within the limits of their charge. 3.Ed.6.2.S.Draperie 65.66.67.

83 If any person (which shall retails any of the clothes, kerseys, frizes, rugs, or cottons, of the severall makings specified in the Stat. provided. 5.E.6. for the true making of woollen cloth) do present any cloth which is defective or faulty, unto two Ju. of P. next adjoining, out of a citie, borough, or town corporat, where such cloth shall be found faulty, the same J. shall cause the same cloth to be cut into three equal peeces, whereof the J. shall have one, the presentor one other, and the third they shall retaine to themselves. 5.Ed.6.6.S.Draperie 79.

84 Everie Justice of peace of the Countie where any Souldier shall bee found, which shall give, wilfully purloine, exchange or put away any Horse, Mare, Gelding, or Harneis, wherewith he shall be set forth, shall commit the said Souldier to ward, untill he hath satisfied the partie grievued for such Horse, Harneis, &c. so lost purloined, &c. except the same Souldier were imprisoned for the same offence befoze by the Lieutenant, Captaine, &c. or their deputies, and made restitution. 2.E.6.2.S. Capitaines 1.

85 The Just. of P. of every Shire, have authoritie to enquire of the offenders of the Stat. made 25.H.8. (limiting what number of sheepe men shall keepe, and have at one time) as well by the othes of ry. men, as by information of the J. Subiects, and to make such like proces upon every presentment or information concerning the said Act, as they use commonly to doe upon presentments befoze them of trespass, and no person being convicted by confession, or otherwise, that hee hath done or attempted, contrarie to the said Act, shall be put to any lesse fine, then after the rates of the forfeiture limited by the said Act. 25.H.8.13.S.Sheepe 3.&c.

86 The Justices of Assises, and Justices of P. within the Countie where any default of a Coroner is (which upon request to him made, to come and enquire of any person slain, drowned, or otherwise dead by misadventure, doth not his office therein diligently, or taketh any thing therfoze) have power to enquire thereof, and to determine the same, as well by examination, as by presentment. 1.H.8.7.S. Coroners 15.

87 Just. of P. have power to heare and determine, upon presentment made befoze them in their Sessions, all forfeitures committed by Escheators, in selling, or letting to farme their offices, or making any deputies, but such for whom they will answer, contrarie to the Stat. in that case provided: In which presentment like proces shall be had, as is used upon indictments of trespass done with force armes against the J. peace. 12.E.4.9.S.Escheators 12.

88 Justices of peace and other Justices have power to hold plea of any suit commenced by any person against the Sherife, or any of his ministers, which by force of the Statutes of the Exchequer, doe lewie the Kings debt of him, and doe not tot the same which is paid, whereby the debt is another time demanded of the same person

Iustices of Peace.

**Defaults of
Sherifes.**

person. 42.Ed. 3.9.S.Estreats 1.

89 Where Iustices, or a Iustice of peace, upon complaint to him or them made of any forcible entrie into lands or tenements, or of detaining therof with force, do direct their pzecept to the Sherife to returne sufficient & indifferent persons dwelling about the said lands, to enquire of such entries: If the said Shirife or bailife of franchise having returne of writs, be slacke and doe not duely execute the said pzecepts to them directed, then aswell the said Iustices, or Iustice, as the Ju. of Assise, and every of them, at their coming into the countrey to take Assises, have power to heare and determine such defaults and negligences of the said Shirifs and Bailifs, aswell by bill at the suit of the P. griened for himself, as by indictment only for the king. And if the Shirife or Bailife be attainted by indictment, or bill, he which sueth for the R. and himselfe, shall have the moitie of xx. l. (which the offender shall forf.) together with his costs and expences, and the pces against the offender, shall be as in trespass vi & armis. 8.H.6.9. S. Force 2.

**Extortion of
Sherifes.**

90 Iustices of Assise in their Sessions, Just. of the one Bench and of the other, and Just. of P. in their Countrey, have power to enquire, heare, and determine, all the extortions, and other offences committed by Shirifes, Undersherifes, Coroners, Bailifes of Franchises, and their ministers, contrarie to the stat. for them pzonided. 23.H.6. in any article or point of the same Stat. 23.H.6. 10.S. Jurors 10. S. Sherifes 5.6.7.8.9.10.11.

Usurie.

91 Iustices of Wyer and determiner, Iustices of Assise in their circuits, and J. of peace in their Sessions have authoritie to enquire, heare, and determine of all and singular offences committed against the stat, pzonided 37.H.8. against usurie 13.El.8. S. Vsurie 1.&c.

**weights and
measures.**

92 Two Just. of peace (whereof one to be of the Quorum) have authoritie aswell by examinate, as by enquire to heare, and determine the defaults of the head officers of Cities, Boroughs, and Market townes, which do not cause twice in a yere at the least, all weights and measures therein to be brought befoze them, and the defective to be broken and burnt: And also of all buyers and sellers, which doe not buy and sell with weights and measures which be lawfull, and to set fines and amerciaments upon the offenders, according to their discretions. 11.H.7.4. And also Just. of peace have power to enquire of falsifiers and counterfeiters of false weights, & to imprison, and in prison to hold them, untill they be attainted, or acquitted, and if they be attainted, they shall remaine in prison until they have made fine by the Just. discretion. And they shall enquire of, heare, and determine the same, so often as they shall thinke needfull. 9.H.5.8. S. Vweights 9.10.13.

**The egges of
wildfoule.**

93 All Just. of P. within the limits of their Commission, have authoritie to enquire, heare, and determine the offences of all those, which shall willingly purloine, destroy, or convey away the Egges of any kind of wildfoule, from the nest or place where they shall be laied by the same wildfoule, like as they commonly be to doe in cases of trespass. 25.H.8.11. 3.Ed.6.7.S. Wildfoule.

Wines.

94 Just. of peace in every Shire of this Realme, within the limits of their commissions, aswell within franchises as without, have authoritie to examine, heare, enquire, and determine the defaults of such as shall attempt to sell any Wines in grosse, or by retails contrary to the stat. made 28.H.8. limiting the pices of wines, and to punish the offenders by imprisonment, or otherwise by their discretions. 28.H.8.14. S. Wines 1.2.

wines.

95 The Just. of P. of every Countie, Citie, and Towne Corporat, in their severall Sessions, have authoritie to enquire by the othes of xij. lawfull men, of all and every offence and offences done contrarie to the stat. (made 7.E.6. to avoid the great pices and excelsse of Wines.) And every enquire and presentment taken, and had by the othes of xij. lawfull men, shall be of such force, as if the same were taken

ken or had in the B. Bench. And enerie of the paines, penalties, and forfeitures done by force of the said Act, for any offence committed contrarie to the forme thereof, as shalbe found by presentment, befoze the said Just. (no bill, plaint, action, or information thereof commenced in any of the B. Courts of Record) shal be equally divided into two parts, whercof the one shalbe to the B. his heires, and Successors, and the other to the people of the towne or place where such presentment shal be found. 7.E.6.5. S.Wines 6.&c.

96 All Ju. of P. in their Sessions, within the limits of their commissions, have authoritie to enquire, as well by the othes of ry. men, as otherwise by information, and thereupon to heare and determine all and singular such offences as shalbe done in the land or within any haven, or pær, contrariy to the Stat. provided. 5. El. touching certayne politike constitutions made for the maintenance of the Paup: and if any person shal be presented befoze the said Justices within the limits of their authorities, or any information given to them, of any offendor of the said Act, then they have authoritie, upon such presentment or information, to make Proces against the offendors as is commonly used upon indictments of trespass. And if any be presented, and afterward convicted be confession or otherwise, then he shal suffer no lesse punishment, or forfeiture, then the said Stat. is limited: For the levying of the which for. the said Justices within the limits of their commissions, have authoritie to make such proces as they shal thinke good by their discretions. But no information at the suit of any person concerning the said act, shal be of effect to put any person to answer, or forfeiture, except the same be commenced within half a yere after the offence done: For any information or presentment for the Act. shal be of effect &c. except the same be within one yere after the offence committed, contrarie to the said Act 5. El. 5. 1. Jac. 25. To continue till the end of first Session of the next Parliament now next ensuing. S. Ships 1. 2. 3. 4. 5. Q. for the force of this Branch.

97 The Just. of peace within any Countie of this Realme, and enerie of them have power to enquire, heare, and determine the defaults and offences committed (contrarie to the Stat. provided 17. Ed. 4. for the true making of Wyle.) And if it be found, or may appeare to the said Just. or any of them, by examination, or otherwise that any person hath offended contrarie to the said Act, then the same Justices shal assesse upon the offendor no lesse fine, then in the said Stat. is limited. And the Just. have power to assigne expert persons in the occupation of Wyle making, to search and examine the making thereof. And every presentment made by the said searchers, of any defaults before the said J. at their next Sessions, shalbe as effectual in the law, as the presentment of by. men. And the Just. have power to examine, enquire, and determine the defaults of searchers, in like manner as they have of Wylemakers. 17. Ed. 4. 4. S. Tyles.

98 Justices of peace in their open Sessions have authoritie, upon information to heare and determine the offences of Wool drivers, or Wool buyers, inhabiting within the Parish of Halifar, which shal sell their wools at any other place, forth of the towne of Halifar. And also of all such as shal buy their Wools at Halifar, and sell them againe wrought in yarne or cloth, and to make Proces against the offendors, as in other cases to be determined befoze them. 2. & 3. Ph. & Mar. 13. S. Wools 5.

99 Justices of Dyer and Determiner, within the limits of their commission. J. Additions of of Assises in their circuits, & J. of peace, as wel within liberties as without, within the limits of their commission, shal have full power & authoritie to enquire, heare, and determine all and every offences committed, or to be committed within their severall limits, circuit, or precinct of their commission or commissions (contrarie to the

Maintenance of the Paup.

Wylemakers.

Wegrating of Wools.

Jurors and their issues.

Iustices of Peace.

the Statute made 27.El. for the leuying of issues lost by Jurores) and to award saye poyces of execution for the leuying of the said forfeitures. 27.Eliz. 7. 39.Eliz. 13.S. Jurores 33.34.

**Sweearing of
Under-sherifes**

110 The Iustices of Assise, and Iustices of Peace, in their open Sessions, shall have full power, within the limits of their authoritie, to heare & determine the defaults done (contrarie to the statute provided 27.Eliz. for the sweearing of Under-sherifes, and other Officers) as well by presentment and information, as indictment: And upon conviction of the offenders to award execution for the leuying of the forfeitures, by Fieri facias or by Attachment, Capias, or Exigent. 27.Eliz. 12.S. Sherife 32.33.34.

**Cottages,
Inmates.**

101 All Iustices of Assises, and Iustices of peace in their open Sessions, and every Lord within the precinct of his Let, and none others, shall have authoritie within their severall limits and iurisdiccions, to enquire of, heare, and determine all offences committed (contrarie to the act made Anno 31.Eliz.) against erecting and maintaining of Cottages, and Inmates, as well by Indictment, as otherwise by presentment or information, and to award execution for the leuying of the severall forfeitures in the said Stat. limited by Fieri facias, Elegit, Capeas, or otherwise, as the cause shall require. 31.Eliz. 7.S. Cottages 1. Leets 19.

Bastards.

102 Two Iustices of Peace, whereof one to be of the Quorum, in or neere unto the limits where the Parish Church is, within which Parish any Bastard begotten and borne out of lawfull Matrimonie shalbe borne (upon examination of the cause and circumstance) shall and may, by their discretions, take order, as well for the punishment of the mother, and reputed father of such bastard child, and also for the better reliefe of everie such Parish, in part, or in all. And shall and may likewise, by like discretion, take order for the keeping of everie such bastard child, by charging such mother or reputed father with the payment of money weekly, or other sustentation, for the reliefe of such child, in such wise as they shall thinke convenient. 18.El. 3.S. Bastardie 1.1.Lac. 25. to continue until the end of the first Session of the next Parliament.

**Certificat of
Agnus Dei,
Crosses &c.**

103 If any person to whom any Agnus Dei, Crosses, Pictures, or Beads, shall be offered, do bring the partie that made him that offer, to a Justice of Peace of that Shire, or within thre daies after such offer made, do disclose to him the name of the partie, his dwelling, or place of resort, And if the same Iustices doe not within xiiii. daies, next after any such matter shalbe shewed unto him, declare the same to one of the D. pzinis Councell: Then the Iustices that incurre the danger, paine, & cost of Praemunire, provided 16.R. 2. 13.El. 2.S. Rome. 5. 6.

Tithes.

104 Two Just. of Peace, whereof one to be of the Quorum, upon information, certificat, or complaint, to them made in writing, by any Ecclesiastical Judge, that gave sentence against any person, which obstinately and wilfully refused to pay his tithes, or such summe of money, wherein he was condemned for the same, have authoritie to cause the same partie to be attached, and committed to the next gaole, untill he have found sufficient surety to be bound to the King, to performe the same sentence. 32.H. 8. 7. And the like authoritie have any of the K. Councell, or two J. of peace, whereof one to be of the Quorum &c. upon the Ecclesiastical Judges request, for any contempt, contumacie, or other misdemeanors of the partie defendant in any suit for subtraction of tithes, offerings, or other duties of the Church untill he have found suretie, vt supra &c. 27.H. 8. 20.S. Tithes 22.

**Certificat of
Recognisance**

105 Everie Justice of Peace, within the Realme, that shall take any recognisance for the keeping of the peace, shall certifie, send or bring the same recognisance at the next Sessions of peace, where he is, or hath bene Justice, that the parties so bound may be called: And if the parties make default, the same default then there

there to be recoꝝded. And the same recognisance, with the recoꝝd of that default, shalbe sent, and certified into the Chauncerie, the Kings Bench, or into the Exchequer. 3. H. 7. 1.

106 No Iustice or Iustices of Peace shal let to baile or mainprise any such person or persons, which for any offence by any of them committed, be declared, not to be replenied, or bailed, or be forbidden to be replenied or bailed by the statute made 3. E. 1. For any person arrested for manslaughter, or felonie, or suspicion of manslaughter or felonie, being baileable by the law, shall be let to baile or mainprise by any Iustice of peace, if it be not in open Sessions, except it be by two Iustices of peace at the least, whereof one to be of the Quorum. And the same Iustices to be present together at the time of the said bailment or mainprise: which bailment or mainprise they shall certifie in writing, subscribed or signed with their owne hands at the next generall gaole deliuerie, to be holden within the Countie where the persons shall be arrested or suspected. And the said Iustices, or one of them, being of the Quorum, where any such prisoner is brought before them, for manslaughter or felonie, before any bailment or mainprise, shall take the examination of the prisoner, and information of them that bring him, of the fact, and circumstances thereof: And the same, or as much thereof as shall be materiall to proue the felonie, shal put in writing, before they make the bailment: which examination, together with the bailment, the said Iustices shall certifie at the next generall gaole Deliuerie to be holden within the limits of their commission. And also the said Iustices have authoritie to bind all such by Recognisance, or obligation, as do declare any thing materiall, to proue the said manslaughter or felonie, to appeare at the next generall Gaole Deliuerie to be holden within the Countie, Citie, or Towne corporat, where the triall thereof shall be, then and there to give evidence against the partie so indicted, at the time of his triall, and shal certifie euerie such bond taken before them at the next generall gaole Deliuerie. And if any Iustice of peace, or Quorum, shall offend in any thing contrarie to the true intent and meaning of this Act, the Iustices of Gaole Deliuerie of the Shire, Citie, Towne, &c. where such offence shalbe committed, upon due prouee thereof, by examination before him, shall for euerie offence set such fine upon euerie of the same Iustices of Peace, as the same Iustices of Gaole Deliuerie shall thinke meet. But the Iustices of peace, and Coroners in London and Middlesex, and other Cities, Boroughs, and Townes corporat in England and Wales, haue authoritie to let to baile felons and prisoners, as they haue bene heretofore accustomed: But they shall take examinations and bonds, as is aforesaid, upon euerie bailment by any of them made, and shall certifie them at the next gaole deliuerie to be holden within the Shire, Citie, Borough, &c. under the foresaid paine &c. 1. & 2. P. & M. 13. S. Mainprise.

Bailment of offenders.

107 In like sort euerie Iustice or Iustices of peace, before whom any person shalbe brought for manslaughter, or felony, or for suspicion thereof, before he or they shall commit such prisoner to ward, shall take the examination of such prisoner, and information of such as bring him, of the fact, and circumstances thereof, & the same, or as much thereof as shall be materiall to proue the felonie, shall put in writing within two daies after the said examination, and the same shall certifie in such manner and forme, and at such time as they should and ought to do, if the prisoner and bin bailed, or let to mainprise, upon such pain, as in the former statute is expessed, for not taking, or not certifying examinations. And the said Iustices haue authoritie to bind all such by Obligation or Recognisance, as do declare any thing materiall to proue the manslaughter or felonie, to appeare at the next generall gaole deliuerie &c. to give evidence &c. and shall certifie the said bonds at the next generall gaole deliuerie. Vt supra. 2. & 3. P. & M. 10.

Imprisonment of offenders.

108 The J. of peace within the Shires next adioyning to the riuer of Thames betwixt

W D D

Watermen;

Iustices of Peace.

betwixt Grauesend and Windsor, within their severall iurisdiccions, have authoritie vpon complaint, made vnto them, or any of them, by the eight Duerseers of Watermen, or two of them, or by the master of any seruant, being a Waterman, to examine, heare, and determine all complaints and offences, committed by any such person that shall offend, contrary to the true meaning of the Stat. provided 2. & 3. P. & M. for Watermen vpon the riuer of Thames, and to set at libertie euery person imprisoned by the said Duerseers, if iust cause shall appeare vnto them so to do: And to correct the said Duerseers, that shall without good cause punish any person, by colour of the said Act. 2. & 3. P. & M. 16. S. Boates 2.

One commission of the peace shall not be a S. perfect as to another:

109 All & singular commissions granted, or to be granted to any citie, or towne corporat not being a countie in it selfe, for the keeping of their peace, and deliuey of the prisoners remaining in the gaole of any such citie or towne corporat, shall remaine and be good in the law, to all intents, the granting of any like commission of peace or gaole deliuerie, to any Commissioner or Commissioners, for the conseruation of the peace, or deliuey of the prisoners, remaining in the gaole of any Shire, Lath, Rape, Riding, or wapentake, within this Realme of England, bearing date after the said commission or commissions granted to any such Citie or towne corporat, not being a Countie in it selfe, to the contrarie notwithstanding. 2. & 3. P. & M. 18. S. Discontinuance of proces 6.

Statute declared at Sessions.

110 The Act made against vnlawfull and rebellious assemblies, or the effect thereof, shall be read or declared at euery Quarter Sessions (1. M. 12.) And so shall the Stat. made 5. El. 1. for assurance of the Q. power over all estates. And so shall the Statute made 33. H. 8. for the maintenance of artillerie, and debarring vnlawfull games.

Shirife not Justice.

1 No Shirife shalbe Iustice of peace in the countie where and when he is shirife. S. Shirife 21.

Indictments in Turnes.

2 Shirifes shal deliuey all Indictments and Presentments, taken before them at their Turnes, to the Iust. of peace, and the Iust. shal make proces against, arraigne, and deliuey the offenders. S. Shirifes 12, 13, 14, 15.

Examination of Shirifes, &c.

3 Two Iust. of peace may examine shirifes, vnder shirifes, shire clerkes, and bailifes of hundreds, of enring Plaints before them, and execution of proces, who shall appoint those Iust. and how they shal reforme offences, S. Shirifes 16. 20.

Estreats.

4 The shirifes shall make no Estreats to leuie amerciaments, vntill two Iustices haue had the ouersight thereof. S. Shirifes 18.

Shirifes. Bailifes.

5 Iustices may sweare the shirifes bailifes to gather but their duety, and after examine them thereof. S. Shirifes 19.

Precept into another countie

6 Where I. of peace may direct their precept, to be executed out of the limits of their Commission. See Prison 2. Indictments 2. 3. Labourers 28. Bridges 5.

Offenders. Gunners.

7 To what prison I. of peace shal commit offenders. S. Prison 1.

8 A Iust. of peace shall receiue the names of those which shoot in gunnes, and cause them to be recorded. S. Gunnes 11.

9 The authoritie of Iust. of peace for the the taxing of others for the reliefe of such as be infected with the plague. S. Plague 1. 2.

Panels. Concealments

10 Iust. of peace may reforme panels returned before them. S. Iurors 8.

11 Iustices of peace may take enquests to inquire of concealments of other enquests. S. Iurors 9.

Mariners. Physicians.

12 For Iust. authoritie in taking Mariners to serue on the sea. S. Mariners 3.

13 Iust. within London, and seuen miles compasse, shall assist the Colledge of Physitians, &c. S. Physitians 10.

Making Justices. Riots.

14 None haue authoritie to make I. of peace, but the king. S. Prerogatiue 17.

15 I. of peace shall arrest those which commit riots, enquire of Riots, & certifie the same. S. Riots 1, 2, 3. 5.

- 16 Commissions shalbe awarded, to inquire of the default of I. of peace touching *Inquire of Riots.*
- 17 What the Iust. shal forfeit, which do not certifie the names of the maintainers, *Maintainers* or imbracers, with their misdemeanors, by whose meanes any Riot is not found by the Iury. S. Riots 15.
- 18 For the due tie of I. of peace, concerning the execution of the statute, made a- *Rebellions,* gainst vnlawfull and rebellious assemblies. S. Riots 16. &c.
- 19 For the due tie of I. of peace, concerning the examination and punishment of *Preachers.* any, which shall disturbe any Preacher in his sermon &c. S. Preachers 1, 2, 3.
- 20 Iustices of peace shall receiue Dockets of the high Constables &c. And deliuer *Dockets.* them ouer to the Lord Steward. S. Purueyors 28.
- 21 Where I. of peace shall execute the commission of Sewers. S. Sewers 16.
- 22 Iustices of peace shall limit *Victualers* gaine, and punish them which take ex- *Sewers.* cessiue. S. *Victualers* 3.
- 23 Iustices of P. may enter into a Merchants house which denieth to sell wine at the price assessed &c. S. Wines 4.
- 24 None shal sel Wines in Townes not corporat, but by the assignment of the *Wines.* Iust. of peace. S. Wines 4.
- 25 Where Iustices shal diuide a wood, if the owner and commoners thereupon *Woods.* cannot agree. S. Woods 8, 9.
- 26 For the authoritie of Iustices in punishing those which go or ride armed. S. *Armor.* Armor 10.
- 17 The forfeiture of a Iust. of peace, which hauing notice of a Iesuite or Priest *Iesuite.* doth not thereof aduertise some of the priuie Councell &c. S. Iesuits 10.
- 28 There shalbe I. of P. in Wales, their authoritie, due tie, &c. S. Wales 30, 31. *Wales.*
- 29 I. of P. shall inquire of the default of Watchers on the sea coast. S. H. 4, 3.
- 30 For the authoritie of Iust. of peace touching the execution of the statute of Huy *Huy & Cry.* and Cry. S. Huy and Cry 4, 10.

Labourers, Artificers, Seruants, Apprentices.

No person shall retaine, hire, or take into service, or cause to be retained, hired, *None of these* or taken into service, nor any person shall be retained, &c. to worke for any *seruants shall* lesse time then for one whole yeare, in any of the Sciences or Arts of Clothiers, *be retained* *under a yeare* *Wollen Cloth Weauers, Lickers, Fullers, Clothworkers, Shere-men, Diers, Hosi-ers, Tailers, Shoemakers, Tanners, Pewterers, Bakers, Brewers, Glo- uers, Cutlers, Smiths, Ferroers, Curriers, Sadlers, Spurriers, Turners, Cap- pers, Hatmakers or Feltmakers, Bowyers, Fletchers, Arrow head makers, Butchers, Cookes, or Millers.* 5. El. 4.

2 Euerie person unmarried, and euerie other person, vnder the age of xxx. yeares *Persons com- pellable to* married, hauing bene brought by in any of the said Artes, or Sciences, or that hath *serue in hand* *dictates.* bled or exercised any of them by the space of thre yeares, or moze (and not hauing lands, tenements, rents or hereditaments, copihold, or freehold, of one estate of in- heritance, or for terme of any life, or lines, of the cleere yearely value of xl. s. nor be- ing worth of his owne goods the cleere value of x. l. and so allotted by two Just. of the peace of the Countie where he hath most commonly inhabited by the space of one whole yeare, and vnder their hands and seales, or by the *Mayor,* or other head Officer of the Citie, Borough, or Towne corporat, where such person hath most commonly dwelled by the space of one whole yeare, and two Aldermen, or two o- ther discreet Burgessees of the same Citie &c. if there be no Aldermen, vnder their hands and seales, nor being retained with any person in husbandrie, or in any of the foresaid Artes, according to this Statute, nor lawfully retained in none other

Labourers, &c.

Art, or Science, nor being lawfully retained in household, or in any office with any Nobleman, Gentleman, or others, according to the Lawes of this Realme, nor having a convenient Farme or other holding in tillage, whereupon he may imploy his labour) shall during the time that he or they shall be so unmarried, or under the said age of xxx. yeares, upon request made by any person using the Art or Mysterie wherein the said person so required hath bene exercised, as is aforesaid, be retained, and shall not refuse to serve, according to the tenor of this Stat. upon the paine and penaltie hereafter mentioned. 5. Eliz. 4.

Persons com-
pellable to
serve in hus-
bandry.

3 Every person betwene the age of xij. yeares, and the age of lx. yeares (not being lawfully retained, nor apprentice with any Fisher man or Mariner, haunting the Seas, nor being in service with any Kidder or Carrier of any Cozne, or meale, for provision of the Citie of London, nor with any Husbandman in Husbandry, nor in any Citie, Towne or port, or Market Town, in any of the Arts or Sciences appointed by this Statute to have or take apprentices, nor being retained by the yeare, or halfe the yeare at the least, for the digging, seeking, finding, getting, melting, smiting, working, trying, or making of any stiver, tin, lead, pyron, copper, stone, seacole, stonecole, mozecole, or cherkcole, nor being occupied in or about the making of any glasse, nor being a gentle bozne, nor being a student, or scholer in any of the Universities, or in any Schole, nor having lands, tenements, rents, or hereditaments for terme of life, or of one estate of inheritance of the cleare yearely value of xl. s. nor being worth in goods and chattels to the value of x. l. nor having a father or mother then living, or other ancestor, whose heire apparant he is, then having lands, tenements, or hereditaments, of the yearely value of x. l. or above, or goods or chattels of the value of xl. l. nor being a convenient or necessary officer, or servant lawfully retained, as is aforesaid, nor having a convenient farme, or holding, whereupon he may or shall imploy his labour, nor being otherwise lawfully retained, according to the true meaning of this Stat.) shall be compelled to be retained to serve in husbandry, by the yeare, with any person that keepeth husbandry, and will require any such person to serve, within the same shire where he shall be so required. 5. El. 4.

Retaining or
giving wa-
ges contrary
to the Statute.

4 If any person do by any secret meanes, directly or indirectly retaine, or keepe any servant, workman, or labourer, or both give any more or greater wages, or other commoditie, contrarie to the true meaning of this Statute, or contrarie to the rates or wages assessed or appointed in the Proclamations made for that purpose, in the County, city, or borough where he both inhabit, then he that shall so offend, & be thereof lawfully convicted before any J. of Peace of the County, or the Mayor, or other head officer of the city, borough, or towne or port, and two Aldermen, or two discreet burgesses, if there be no Aldermen, or before the L. President & Council in the marches of Wales, or the L. President & Council in the North parts, shall suffer imprisonment by the space of ten daies, without baile or mainprise, and for x. l. And every person that shall be so retained and take wages contrary to this Stat. or any branch thereof, or of the said Proclamation, & shall be thereof convicted before the J. aforesaid, or any two of them, or before the Mayor, or head Officers aforesaid, shall suffer imprisonment by the space of xij. daies without baile or mainprise. And every retainer, promise, gift, or payment of wages, or other thing whatsoever, contrary to the true meaning of this Statute, and every writing and bond made for that purpose, shall be utterly void. 5. El. 4. How the wages shall be rated, S. Iustices of Peace 66.

Taking of
wages con-
trary to the
Statute.

Putting a-
way a servant
within the
terme.

5 If any person after he hath retained any servant, shall put away the same servant before the end of his terme, unlesse it be for some reasonable & sufficient cause to be allowed before two J. of Peace, or one at the least within the said County, or before the Mayor, or other chiefe Officer of the city, borough, or towne or port, wherein

wherein the said Master, Mistres, or Dame inhabiteth, or if any such Master, Mistres, or Dame, shall put away any such servant at the end of his terme, without one quarters warning given before the said end: then every such Master, &c. so offending, shall forfeit. s. v. unless he be able to prove by two sufficient witnesses, some reasonable & sufficient cause of putting away of his servant during the terme, or a quarters warning given before the end thereof, before the Justices of Oyer & Terminer, Justices of Assise, Justices of the Peace in the Quarter Sessions, or before the Mayor or head officer of any citie, borough, or town corporate, & two Aldermen, or two other discreet Burgeses of the same city &c. if there be no Aldermen, or before the Lord President and Councill in the Marches of Wales, or in the North. 5. Eliz. 4.

Putting away the servant without a quarters warning.

6 If any servant retained according to this statute, shall depart from his Master, Mistres, or Dames service before the end of his terme, unless it be for some reasonable & sufficient cause, to be allowed as is aforesaid: or if any servant at the end of his terme depart from his Masters &c. service, without one quarters warning given before the end of his terme, & before two lawfull witnesses: or if any person compellable and bound to be retained and to serve in husbandry, or in any other sciences above remembred by the yeare, or otherwise: do upon request made, refuse to serve for the wages rated and appointed by the Queens Proclamation in that County, Citie, Borough, where &c. according to the forme of this statute, or promise or covenant to serve, and doe not serve according to the tenor of the same, then every servant so departing away, and every person so refusing to serve for such wages, upon complaint thereof made by the Master &c. of the said servant, or by the partie, to or with whom the said refusal is made, or promise not kept, to two Justices of Peace of the Countie, or to the Mayor or other head officer of the Citie, Borough, &c. and two Aldermen, or two other discreet Burgeses of the same Citie, &c. if there be no Aldermen where the said Master &c. or the said partie, to or with whom the said refusal is made, or promise not kept, dwelleth, or to either of the said Lords Presidents and Councill of Wales, and the North, the said Justices, Presidents, and Councill, and the said Mayors, head officers, and other persons of Cities, Boroughs, &c. or any of them, have power to heare & examine the matter, and finding the said servant, or the said partie so refusing, faultie in the premises, upon such proofes and good matter, as to their discretions shall be thought sufficient, to commit him to ward, there to remaine without baile or mainprise, until he shall be bound to the partie to whom the offence shall be made, to serve and continue with him, for the wages limited according to the tenor of this statute, and then to be discharged upon his delinerie, without paying any fee to the Gaoler where he shall be so imprisoned. 5. Eliz. 4.

The servant departing within his terme, without warning, or refusing to serve.

7 None of the said retained persons in husbandry, or in any the arts or sciences above remembred, after the time of his retainer expired, shall depart forth of one citie, towne, or parish to another, nor out of the Lath, Rape, Mapentake, or Hundred, nor out of the Countie or Shire where he last served, to serve in any other Citie, towne corporate, Lath, Rape, Mapentake, Hundred, Shire, or County, unless he have a Testimoniall under the Seale of the said Citie or Towne corporate, or of the Constable, or other head Officer, and of two other honest householders of the Citie, Towne, or Parish where he last served, declaring his lawfull departure, and the name of the Shire & place where he dwelled last before his departure, according to the forme hereafter expressed: which certificat or testimoniall shall be writtē & delivered unto the said servant, & also registred by the Parson, Vicar, or Curat of the parish where such Master, Mistres, or Dame doth dwell, taking for the doing thereof y. s. and not above. Memorandum, that A. B. late servant to C. D. of C. husbandman, or Tailor &c. in the said Countie, is licensed to depart from his said

Servants shall not depart into other townes without Testimoniall.

The forme of the Testimoniall.

Labourers, &c.

Passer, & is at his libertie to serue elsewhere, according to the statute in that case made & provided. In witnesse whereof &c. Dated the day, moneth, yere, & place &c. of the making thereof. 5.El.4.

*No servant
shalbe retain-
ed without
shewing his
Testimoniall.*

8 No person that shal depart out of service, shalbe retained or accepted into any other service, without shewing befoze his retainor, such Testimoniall as is befoze remembred, to the chiefe Officer of the Towne corporat, and in euery other towne and place to the Constable, Curate, Church-warden, or head Officer of the same where he shalbe retained to serue, vpon the paine that euery such servant so departing without such Certificat or Testimoniall, shal be imprisoned vntill he procure a testimoniall or certificat, the which if he cannot doe within the space of xxi. daies next after the first day of his imprisonment, then the said person shal be whipped, & vled as a Wagabond, according to the Lawes in that case provided. And euery person retaining any such servant, without shewing such Testimoniall, or Certificat, shal forfeit for euery such offence v. l. And if any such person shalbe taken with any counterfeit or forged Testimoniall, then he shal be whipped as a Wagabond. 5.El.4.

*Counterfeit
Testimoniall.*

*How long
workmen shal
continue at
their labour.*

9 All Artificers and Labourers, being hired for wages by the day or weeke, shal betwixt the middelt of the months of March and September, be, and continue at their worke, at or befoze five of the clocke in the morning, and continue at worke, and not depart vntill betwixt vij. and viij. of the clocke at night, except it be in time of breakfast, dinner, or drinke, the which times at the most shal not exceede aboue two houres and a halfe in the day, that is to say, at euery drinke one halfe houre, for his dinner one houre, and for his sleepe, when he is allowed to sleepe (the which is from the middelt of May to the middelt of August) half an houre at the most, and at euery breakfast one halfe houre. And all the said Artificers and labourers, betweene the middelt of September, and the middelt of March, shal be and continue at their worke, from the spring of the day in the morning vntill night, except it be in time alsoe appointed for breakfast and dinner, vpon paine to forfeit one peny for euery houres absence, to be defaultted out of his wages that shal so offend. 5.El.4.

*None shal de-
part from his
worke befoze
it be finished.*

10 Euery Artificer and Labourer that shal be lawfully retained, in, or for the building, or repairing of any Church, house, shippe, mill, or euery other peece of worke taken in great, in taske, or in grosse, or that shal take vpon him to make or finish any such thing, or worke, shal continue and not depart from the same (vntill it be for not paying, of hire wages, or his agreed on, or otherwise lawfully taken or appointed to serue the Queene &c. or for other lawfull cause, or without licence of the Passer or owner of the worke, or of him that hath the charge thereof) befoze the finishing of the same worke, vpon paine of imprisonment by one month without baile or mainprie, and the forfeit. of v. l. to the partie from whom he shal so depart, for the which the said partie may haue his action of debt against him that shal so depart in any the M. Courts of record, besides such ordinary costs & damages, as may or ought to be recovered by the common Lawes, for any such offence, wherein no W. &c. C. P. &c. And no other artificer or labourer, retained in any seruice to worke with the Queene, or any other person, shal depart from her Maiessty, or from the said person, vntill the worke be finished, if the person so retaining the artificer or labourer, so long will haue him, and pay him his wages, or other duties, vpon paine of imprisonment of euery person so departing by the space of one Moneth. 5.Eliz.4.

*Going into
other Shires
for harness
worke.*

11 But all persons of the Counties where they haue accustomed to goe into other Shires, for harness worke, and hauing at that time no harness worke sufficient in the same Towne or County, where he or they dwelt in the winter then last past, bringing with him or them a Testimoniall, vnder the hand and seale of one

one Justice of the Peace of the Shire, or other head officer of the Towne or place where he or they come from, testifying the same, for the which he shall not pay above j. d. (other then such persons as shall be retained in service, according to the forme of this Statute) may resort in harvest of Hay or Corne, from their Countreies wherein their dwelling places are, into any other place or Countrey; for the onely mowing, reaping and getting of hay, corne and graine, and for the onely working of harvest workes, as they might have done before the making of this statute.

5. Eliz. 4.

12 If any servant, workman, or labourer, shall wilfully or maliciously make any assault or affray upon his Master, Mistress, or Dame, or upon any other, that shall at that time have the charge or oversight of him, or of the worke wherein he is appointed, or hired to worke, and being thereof convicted before any two of the Justices, Mayo, or head officer aforesaid, where the said offence is committed, or before either of the said Lords Presidents and Councill, before remembred, by confession of the said servant, workman, or labourer, or by the witness and other of two honest men: Then every such offender shall suffer imprisonment by the space of one whole yeare, or lesse, by the discretion of two Justices of Peace, if it be without a Towne corporation, and if it be within a Towne corporation, then by the discretion of the Mayo or head officer of the same Towne corporation, with two others of the discreetest persons of the same corporation at the least. And if the offence shall require further punishment, then to receive such other open punishment (so as it extend not to life, nor limb) as the Justices of Peace in open Sessions, or as the more part of them, or the said Mayo, or head officers, and six or foure at the least of the discreet persons of the same corporation, before whom the offence shall be examined, shall thinke convenient for the qualitie of the said offence so committed.

5. Eliz. 4.

13 In the time of Hay or Corne harvest, the Justices of peace, & every of them, and also the Constable, or other head officer of every Township, upon request, and for the avoiding of the losse of any corne, or hay, shall and may cause all such artificers and persons, as be met to labour, by the discretion of any of the said Just. Constables, or other head officers, to serve by the day for the mowing, reaping, shearing, getting or inning of corne & hay, according to the skill and quality of the person. And none of the said persons shall refuse so to doe, upon paine to suffer imprisonment in the stocks by the space of two daies and one night. And the Constable of the town, or other head officer of the same, where the said refusal shall be made, upon complaint to him made, shall have authoritie to let the said offender in the stocks for the time aforesaid, and shall punish him accordingly, upon paine to lose and forfeit for not doing thereof, the summe of xl. s. 5. Eliz. 4.

Artificers are compellable to worke in harvest.

14 Two Justices of P. the Mayo, or other head officers of any city, borough, or town corporation, and two Aldermen, or two other discreet Burghesses of the same city &c. if there be no Aldermen, shall and may appoint any such woman as is of the age of xij. yerres, and under the age of xl. yerres, and unmarried, and forth of service, as they shall thinke meet to serve, to be retained, or serve by the yeare, by the weeke, or day, for such wages, and in such reasonable sort, as they shall thinke meet. And if any such woman do refuse so to serve, then it shall be lawfull for the said Justices, Mayo, or head officer, to commit her to ward, untill she shalbe bounden to serve as is aforesaid. 5. Eliz. 4.

Women compellable to serve.

15 Every person being an house-holder, & having & using halfe a plough land at the least in tillage, may have & receive to an apprentice any person above the age of x. yerres, & under the age of xviij. yerres, to serve in husbandry, untill his age of xxj. yerres at the least, or untill the age of xxiiij. yerres, as the parties can agree, & the said retainer & taking of an apprentice, shal be done by an indenture. 5. El. 4. S. 1. R. 2. 5.

Husbandman may take an apprentice.

Labourers, &c.

If a child be his husbandie untill the age of xij. yerres, and be made apprentice after to any myserie; his covenant shall be void. But whether this be in force, or repealed by the generall words of 5. El. 4. Quere.

Quere.

Apprentices
in Townes
corporate.

16 Every person being an householder, and xiiij. yerres old at the least, dwelling in any city or town corporate, & using any art, myserie, or manuell occupation there, shall and may, during the time that he shall there dwell & use any such art &c. have and retaine the sonne of any freeman, not occupying husbandry, nor being a labourer, & inhabiting in the same, or in any other city or town corporate, to serve and be bound as an apprentice after the custome and order of the city of London, for seven yerres at the least, so as the terme of such apprentice do not determine before he shall be of the age of xiiij. yerres at the least. 5. El. 4.

These must
take pntices
whose parces
may dispend
some lands.

17 It is not lawfull for any person dwelling in any City or towne corporate, using any of the mysries or crafts of a merchant, trafficking by trade into any the parts beyond the sea, Mercer, Draper, Goldsmith, Ironmonger, Ambroider, Clothier, that doth put cloth to making and sale, to take an apprentice or servant, to be instructed in any of the Arts, Occupations, Crafts, or mysries, which any of them do use, except such servant or apprentice be his sonne, or else that the father or mother of such apprentice or servant, shall have at the time of the taking of him, lands, tenements, or other hereditaments of the cleere yearely value of l. s. of one estate of inheritance or freehold at the least, to be certified vnder the hands & scales of three Just. of the peace of the shire or shires where the said lands, tenements, or other hereditaments do lie, to the mayor, bayliffe, or head officer of such city or town corporate, and to be inrolled among the records there. But if any such Merchant, Mercer, Draper, or other of the artificers aforesaid, do dwell in a market town not incorporate, then the father or mother of an apprentice by him taken, must have lands &c. to the value of iij. l. &c. to be certified by three Justices, inrolled as is aforesaid. 5. Eliz. 4.

What pntices
inhabitants in
market townes
may take.

18 It is lawfull for every person being an householder, and xiiij. yerres old at the least, and not occupying husbandry, nor being a labourer, dwelling in any market towne not being incorporate, so long as the same shall be weekly used as a market towne, and using any art, myserie, or manuell occupation, during the time of his abode there, and so using such art &c. to have in like maner to apprentice the child or children of any other artificer or artificers, not occupying husbandry, nor being a labourer, inhabiting in the same, or in any other such market town within the same shire, to serve as an apprentice, to any such Art &c. as hath bin usually exercised in any such market towne, where such apprentice shall be bound, in maner and forme aforesaid. And the inhabitants of Godalmin in the Countie of Surrey, within the limits of the watch of the same towne, may use such occupations, and take and use apprentices and servants, as the aforesaid inhabitants within market townes may do. 5. Eliz. 4.

Godalmin.

Apprentices
whose parces
may dispend
no land.

19 It is lawfull to any person, using the occupation of a Smith, Whelewright, Ploughwright, Millwright, Carpenter, Roughmason, Plasterer, Sawyer, Limeburner, Brickmaker, Bricklayer, Tiler, Slater, Helyer, Tilemaker, Linnenweaver, Turner, Cowper, Miller, earthen potter, Woollen weaver weaving hufwives or household cloth onely, and none other cloth, Fuller, otherwise called Tucker or Walker, Burner of Dye and Wood ashes, Thatcher or Shingler, wherefoever he or they shall dwell, to have or receive the sonne of any person as apprentice, in maner and forme abovesaid, to be instructed in these occupations onely, and in none other, albeit the father or mother of any such apprentice have not any lands, tenements, or hereditaments. 5. El. 4.

20 It is not lawfull for any person, other then such as (at the time of the making of the statute, being 12. Jan. Ann. Dñi 1562.) did exercise any art, myserie, or manuell

in all occupation, to set by or exercise any craft, myserie, or occupation, now used within England or Wales (except he shall have been brought by therein by years at the least, as apprentice in some aforesaid) nor to set any person on work in such myserie or occupation, being not a workman at the said 12. Januarij (except he shall have been apprentice as is aforesaid) or else having served as an apprentice, will become a Journeyman, or hired by the year, upon paine that every person willingly doing the contrary, shall forfeit. for every default xl. s. for every month. 5. El. 4. That all suits upon this branch of the statute shall be inquired of, heard, & determined in the generall Assizes, quarter Sessions, or Aet, where the offence shall be committed, See Actions popular 11.

21 No person using the myserie of Woollen cloth weaver (other then such as be inhabiting within the counties of Cumberland, Westmerland, Lancaster, and Wales, weaving frizes, cottons, or hushwives cloth) only making & weaving woollen cloth commonly to be sold by any Clothier, shall take any apprentice, or shall in any wise instruct any person in the occupation of weaving aforesaid, in any village, towne, or place (cities, townes corporat, and market towns onely except) unless such person be his sonne, or else that the father or mother of such apprentice or servant shall at the time of the taking of such person to be an apprentice or servant, or so to be instructed, have lands or hereditaments to the cleere yearely value of iii. l. at the least, of one estate of inheritance or freehold, to be certified under the hands and seales of thre Justices of the peace of the Shire or Shires, where the said lands &c. do lie, the effect of the Indenture to be registred within iii. moneths, within the parish where such Master shall dwell, and to pay for such registering iii. s. upon paine of forfeiture of xx. s. for every moneth that any person shall otherwise take any Apprentice, or set any such person on worke, contrary to the meaning of this article. 5. Eliz. 4.

22 Every person that shall have apprentices in any of the said occupations of clothmaker, fuller, shearman, weaver, tailor, or shoemaker, shall retain and keepe one journeyman, and for every other apprentice above the number of the said iij. one other journeyman, upon paine to forfeit. for every default therein x. l. But this act shall not prejudice or hinder the liberties granted by any Act of Parliament in force to the Companie of Woollseed makers, and Weavers in the citie of Norwich, and the County of Norfolk. 5. El. 4.

23 Every person that shall be bounden by Indenture to serve as an apprentice in any art, science, occupation, or labour, according to this Statute, and in some aforesaid (albeit the same Apprentice shall be within the age of xij. years at the time of the making of his Indentures) shall be bound to serve for the years in his Indentures contained, as largely to every intent, as if he were of full age at the time of the making of such Indentures. But no person shall by force of this Statute, be bound to enter into any apprenticeship, other then such as be under the age of xij. years. 5. El. 4.

24 If any person shall be required by any householder, having and using halfe a plough land at the least in tillage, to be an apprentice, and to serve in husbandrie, or in any other kind of Art, myserie, or science before expressed, and shall refuse so to doe, then upon the complaint of such housekeeper made to one Justice of peace of the County wherein such refusal shall be made, or of such householder inhabiting in any City, Towne corporat, or market Towne, to the Mayor, Bayliffe, or head Officer of the said Citie &c. if any such refusal shall there be, they have full authoritie to send for the same person so refusing. And if the said Justice, or the said Mayor, or head Officer shall thinke the said person meet to serve as an apprentice in that art &c. wherein he shall be so then required to serve, then he hath authoritie (if the said person refuse to be bound as an apprentice) to commit him unto ward, there to remaine

None shall occupy any craft but which hath been apprentice.

woollen weavers apprentices,

For three apprentices there shall be kept one journeyman.

Woollseed makers.

Apprentices bound within age.

The remedie where one required to be bound apprentice doth refuse.

Labourers, &c.

maine until he will be bound to serve as an apprentice should serve, according to the true meaning of this Act. 5. El. 4.

The remedy
for a pzentice
which is mis-
used by his
Master.

25 If any such Master shall misuse, or euill intreat his apprentice, or the said apprentice shall haue any iust cause to complaine, or if the apprentice do not his duty to his Master: Then the said Master or apprentice hauing cause to complaine, shall repaire vnto one Just. of P. within the said Countie, or to the Payor, or other head Officer of the Citie, Towne or port, market Towne, or other place where the said Master dwelleth, who shall take such order betweene the said Master and his apprentice, as the equity of the cause shall require. And if for want of good conformity in the said Master, the said Just. Payor, or head Officer, cannot agree the matter betweene him and his apprentice, then the said Justice, Payor, or head Officer, shall take bond of the said Master, to appeare at the next Sessions to be holden in the said Countie, or within the said Citie, Towne or port, market Towne, to be before the Ju. of the said countie, or the Payor, or head officer of the said towne or port, market Towne (if the said Master dwell within any such) and upon his apparance and hearing of the matter before the said Just. or the said Payor, or other head Officer, if it be thought meet vnto them to discharge the said apprentice of his apprenticeship: Then the said Justices, or foure of them at the least, whereof one to be of the Quorum, or the said Payor, or other head officer, with the consent of thre other of his brethren, or men of best reputation within the said Citie, Towne or port, market Towne, haue power in writing vnder their hands and seales, to declare that they haue discharged the said apprentice of his apprenticeship, and the cause thereof: And the said writing so being made and inrolled by the Clerke of the peace, or Towne Clerke, amongst the Records that he keepeth, shall be a sufficient discharge for the said apprentice against his Master, his executors, and administrators, the Indenture of his said apprenticeship, or any law, or custom to the contrarie notwithstanding. And if the default shall be found to be in the apprentice, then the said Justices, or the said Payor, or other head officer, with the assistants aforesaid, shall cause such due correction to be ministered vnto him, as by their discretions shall be thought meet. 5. El. 4.

Discharge of
apprenticeship

If there be
fault in the
pzentice.

Taking of
apprentices
contrarie to
this statute.

In what man-
ner all pen-
alties forfeited
by this statute
shall be im-
ployed.

26 All Indentures, covenants, promises, and bargaines, for the having, taking, or keeping of any Apprentice otherwise to be made, or taken, then is by this statute ordained, shall be cleerely void in the law to all intents, and euery person that shall take, or newly retaine any apprentice contrary to the true meaning of this act, shall forfeit for euery apprentice so taken x. pounds. The one halfe of which forfeiture, and of all forfeitures and penalties expressed and mentioned in this Statute (other then such as are expressly otherwise appointed) shall be to the Queen her heires and successors, and the other moiety to him or them that shall sue for the same in any of the Queenes Courts of Record, or before any of the Justices of Oyer and Terminer, or before any other Justices, or President and Countsell before remembred, by Acton of debt, J. B. or otherwise, wherein no W. C. 13. 4. 5. Eliz. 4. Who in this case shall haue the forf. in corporat Townes. See Corporations 17.

London,
Dorwich.

27 Provided alwaies, that this Act shall not be prejudicial to the Cities of London and Dorwich, or to the lawfull Liberties, Customs, or Priuiledges of the same, concerning the having or taking of any Apprentices, but the Citizens and freemen of the same Cities, shall and may take and retaine apprentices there, in such maner as they might lawfully haue done before 5. Eliz. 4. Anno 12. H. 7. 1. it was enacted, that euery person of the occupation of Woollseed, Saies, and Stamin makers within the Countie of Dorset, the which the foure Wardens of the said occupations within the said Countie yearely chosen, shall enable to keepe an apprentice, shall be at libertie to take and keepe at all times one or two Appren-
tices,

ices, any person or persons put to the foresaid occupation, so that he passe not two at once at the most. And likewise every person shall be at his libertie, to put any Apprentice to the foresaid occupations: Any act or ordinance befoze made to the contrarie notwithstanding. The which Statute seemeth to be repealed for the inhabitants dwelling in all other parts of the countie of Norfolk (saving in Norwich by the statute of 5. Eliz. 4. which repealeth all statutes befoze made touching the hiring, keeping, working, wages, and order of servants, workemen, artificers, apprentices, and labourers, and for Norwich onely it seemeth to be in force by this point. S. 22.

28 If any servant or apprentice of husbandry, of any art, science, or occupation aforesaid, unlawfully depart, or flee into any other shire, it shall be lawfull to the said Justices of Peace, and to the said Mayors, Baylives, and other head Officers of Cities and Townes corporat, being Justices of peace there, to make and graunt writs of Capias, so many, and such as shall be needefull, to be directed to the Sherifes of the Counties, or to other head officers of the places whither such servants or apprentices shall so depart, to take their bodies, returnable befoze them at what time shall please them, so that if they come by such proces, they shall be put in prison till they shall finde sufficient suretie well and honestly to serve their Masters, Mistresses, or Dames from whom they so departed, according to the order of the law. 5. Eliz. 4.

Servants departing into another shire.

29 But it is lawfull to the high Constables of hundreds in every shire, to hold, keep, and continue petit sessions, otherwise called statute sessions, within the limits of their authorities, in all shires wherein such sessions have beene used to be kept, in such manner as heretofore hath been used, so as nothing be by them done therein contrarie or repugnant to this Act. 5. El. 4.

Stat Sessions.

30 It shall be lawfull to every owner of ships or vessels, and to every householder using the trade of the seas by fishing, or otherwise, to every Gunner, commonly called a Canoner, and to every Shipwright, to take or keep one or more apprentice or apprentices to be brought up in the said trades, every of the said apprentices to be to them bound for 7. yer. or under. And every apprentice so taken being above 15. yer. of age, shall be by the same covenants bound, ordered, and used to all intents, according to the custome of the Citie of London, so that the same covenant or bond of apprenticeship be made by writing, indented and inrolled in the Towne where the same apprentice shall be then inhabiting, if it be a towne corporat, and if the town be not corporat, then to be inrolled in the next town corporat to the habitation of every such apprentice. And the officers of every such towne corporat shall take for every such inrolment not above 15. s. 5. El. 5. 1. Jac. 2. 5. to continue untill the end of the first Session of the next Parliament.

Owners of ships, Gunners, and Shipwrights may take apprentices.

31 Every Craftsman of the myserie and occupation of Woollseed making, dwelling within any of the townes of Linne and great Parmouth, in the Countie of Norfolk and suburbs of the same, may have and take apprentice or apprentices (being male) of the age of 15. yer. and upward, and being the Kings naturall subjects, for the terme of seven yer. and not under, so that none of them exceed the number of two at once, to learne, use, and exercise the said craft within either of the said townes or suburbs of the same, albeit the father of the same apprentice may not reside in lands and tenements, to the yerely value of 10. s. Any Act or Ordinance to the contrarie made or to be made notwithstanding. 14. Hen. 8. 3. 16. Hen. 8. 16. 5. Eliz. 4.

Inhabitants in Linne and Parmouth.

1 For conspiracies made by artificers or labourers for the order of their workes. S. Artificers 1.

2 None shall worke Hatts with forrein wooll, but which hath beene apprenuices. S. Hatts 1.

Labourers, &c.

Lapse.

Leases.

- 3 How many Apprentices a Hatmaker may take, and for what time. See Hattes 5.
- 4 None shall be a Weauer, but which bin apprentice. S. Draperie 73.
- 5 For the authoritie and dutie of Iustices of Peace, Mayors, &c. concerning the executing of the statute of Labourers. See Iustice of Peace 66. 67. 68. Corporations 19.
- 6 What shall be taken for entry of an Apprenticeship and Freedome. See Corporations 4.
- 7 In what cases Overseers of the poore may bind poore children apprentices. See Poore 6.
- 8 Seruants imbeciling their Masters goods, S. Stealing.

Lapse.

The ordinary may counterplead the title for a benefice fallen by Lapse.

When any Ordinarie hath given a benefice which came rightfully to him by Lapse, and after the R. presenteth, and commenceth his suit against the patron, in this and all such like cases where the R. title is not tried, the Ordinarie or possessor shall be received to counterplead the title made for the King, and to have his answer, shew and defend his right, though he claime nothing in the patronage. 25. Ed. 3. 7. pro Clero. S. Incumbent.

1 Where title to confer or present by Lapse shal not accrue vpon deprivation, but after vij. moneths after notice. S. Ecclesiasticall persons 5.

2 In what case Lapse of sixe moneths shall not prejudice the King. See Prærogatiue 9.

Leases.

Leases by tenant in taile, or of the houses lands.

All Leases hereafter to be made of any manors, lands, tenements, or other hereditaments, by writing indented under seale, for terme of yeares, or for terme of life, by any person or persons being of full age of xxi. yeares, having anie estate of inheritance, either in fee simple, or in fee taile, in their owne right, or in the right of their Churches, or wines, or jointly with their wines, of any estate of inheritance, made befoze the coverture, or after, shall be good and effectual in the law against the lessors, their wines, heires, and successors, and enerie of them, according to such estate as is comprised in euery such Indenture of lease, in like maner and forme, as the same should haue bene, if the lessors thereof, and enerie of them at the time of the making of such Leases had bene lawfully seised of the same lands &c. comprised in the said Indenture, of a good, perfect, and pure estate of fee simple to their owne only uses. But this Act doth not giue any libertie to any person or persons to take any moze farmes, leases, or takings of any lands &c. then he or they should or lawfully might haue done befoze the making of this Act. 22. H. 8. 28.

Speciall observations of leases to be made by tenant in taile, or of the houses lands.

2 This Act doth not extend to any leases to be made of any manors, lands, &c. being in the hands of any farmer or farmers, by vertue of any old Lease, unless the same old lease be expired, surrendered, or ended within one yeare next after the making of the said new lease, nor shall extend to any graunt to be made of any reuerfion of any manors, lands, &c. nor to any lease of any manors, lands, &c. which haue not most commonly bene letten to farme, or occupied by the farmers thereof by the space of twentie yeares next befoze such lease thereof made, nor to any lease to be made without impeachment of waite, nor to any lease to be made aboue the number of xxi. yeares, or thre liues at the most, from the day of the making thereof, and vpon euery such lease there shall be reserved yearly during the same lease

due and payable to the lessors, their heires and successors to whom the same lands should haue come after the death of the lessors, if no such lease therof had bin made, and to whom the reuerſion thereof shall appertain, according to their estates and interests, so much yearly farme or rent, or moze, as hath bene most accustomedly paid for the manors, lands, &c. so to be letten within xx. yeares next befoze such lease thereof made. And every person to whom the reuerſion of such manors, lands, &c. so to be letten shall appertain, as is aforesaid, after the death of such lessors, or their heires, shall and may haue such like remedie and aduantage, to all intents against the lessees thereof, their executors and assignes, as the same lessors should or might haue had against the same lessors, so that if the lessor were seised of any especial estate taile of the same hereditaments at the time of such lease, the issue or heire of that especial estate shall haue the reuerſions, rents, & seruices reserved vpon such lease, after the death of the said lessor, as the lessor himselfe might or ought to haue had, if he had liued. 32.H.8.28.

3 The wife shall be made partie to euery lease made by her husband, of any manors, lands, &c. being the inheritance of the wife, & euery such lease shall be made by indenture in the name of the husband and his wife, and she shall seale to the same, and the farme and rent shall be reserved to the husband and to the wife, and to the heires of the wife, according to the estate of inheritance in the same: And the husband shall not in any wise alien, discharge, graunt, or giue away the same rent reserved, nor any part thereof longer than during the coverture, without it be by fine leued by the said husband & wife, but the same rent shall remaine, descend, reuert, or come after the death of such husband vnto such person or persons & their heires, in such sort as y^e lands so leasid should haue done, if no such lease had therof bin made. 32.H.8.28.

The wife shall be partie to euery lease made of her land.

4 No Master, Brouost, President, Wardein, Deane, Gouernour, Rector, or chiefe Ruler of any Colledge, Cathedraall Church, Hall, or house of any learning in any of the Uniuersities of Cambridge, or Oxford: Nor no Brouost, Wardein, or other head Officer of the Colledges of Winchester or Eaton, nor the Copozation of any of the same, by what title, stile, or name soeuer they now bee, shall, or may be called, shall make any Lease for life, liues, or yeares, of any their lands, tenements, or other hereditaments, to the which any tithes, arable land, meadow, or pasture, doth or shall appertain, except that the one third part at the least of the old rent, be reserved and paid in Cozne for the said Colledges, Cathedraall Church, Halls, and Houses, that is to say, in good Wheate after vj.s. viij.d. the quarter, or vnder, and good Mault, after v.s. the quarter, or vnder, to bee deliuered yearly vpon daies prefixed, at the said Colledges, Cathedraall Church, Hall, or Houses, And for default thereof, to pay to the said Colledges, cathedraall church, Halls, or Houses, in ready mony, at the election of the said Lessees, their executors administrators, & assignes, after the rate as the best Wheate & Mault in the market of Cambridge, for the rents that are to be paid to the vse of the house or houses there, And in the market of Oxford, for the rents that are to be paid, to the vse of the house or houses there, And in the market of Winchester, for the rents that are to be paid to the vse of the house or houses there, And in the market of Windsor for the rents that are to be paid to the vse of the house or houses at Eaton, is or shall be sold y^e next market day befoze the said rent shall be due, without fraud or deceit. And all Leases otherwise hereafter to be made, & all collateral bonds or assurance to the contrarie by any of the said copozations, shall be void in law to all intents and purposes. The same Wheate, Mault, or the mony comming of the same, to bee expended to the vse of the reliefe of the commons & diet of the said Colledges, Cathedraall church, Halls, and houses only, & by no fraud nor colour let nor sold away from the profit of y^e said Colledges, Cathedraall church, Halls & Houses, and the Fellowes & Schollers in the

Upon Leases made by Colledges, the third part of the rent shall be reserved in Cozne.

Leases.

same, and the vse aforesaid, vpon pain of depnation to the gouernoz & chief rulers of the said Colledge, Cathedrall church, Hall & Houses, and all other thereto consenting. 18.El.

**Hounken
barne in
Suffer.**

**Fyfield demit-
ted to whyte.**

5 But this act, or any thing therein contained, shall not extend, or be in any wise preiudiciall to any Lease to be made, of a barne called Hounken barne, with a certain portion of Tithes, rising, growing, & being in the parish of Southwike in the countie of Suffer, being parcell of the possessions of Pagdalen colledge in Orford, so that the terme demised in & by the said Lease, exceed not the number of ten yeres, from & after the feast of S. Michaele the Archangell next comming. Neither shall this Act extend to any Lease to be made by the President and Schollers of the Colledge of S. John Baptist in Orford, to any heire male of Sir Thomas White, late Knight and Alderman of London, founder of the said Colledge, which lease shalbe made accordyng to the meaning of the foundation & statutes of the said Colledge, of the Manoz Fiefield, and none other hereditaments. 18.Eliz. a Statute not printed.

1 For the validity and strength of all leases made by any Abbots, Priors, Nunnes, Masters of Colleges, Chauntries, &c. before their feuerall dissolutions &c. S. Monast. 4.9.11.12.26.

2 What leases or other acts made by the husband only, or by the husband & wife of lands of the wife, shal bind her or her heires. S. Women 5.

3 What leases or other assurances may be made by any Bishops of their lands. S. Ecclesiast. 6.

4 What leases or other assurances may bee made by any Master and Fellowes, Deane and Chapter, Parson, Vicar, or other hauing spirituall liuings. S. Ecclesiast. 7.8.

5 How long leases of benefices with cure shall endure. S. Ecclesiast. 9. 10.11.

6 In what cases any spirituall person may take by lease any Lands, Parsonage, or Vicarage, and in what not. S. Ecclesiast. &c. 14.16.

7 For leases made by tenant in taile of lands, wherof the reuerfion is in the King. S. Recoueries 4.

8 That a lessee for yeres may falsifie a recouerie had against him in the reuerfion. S. Recouerie 8.

9 What remedie the recouersers haue against the lessee for terme of yeres of lands recovered for rent due, or wast committed. S. Recouerie 8.

10 Lessees shall haue the same aduantage against the grantees in reuerfion, that they might haue had against the grantors. S. Condition 2.

11 Where lessees for life or yeres, are compellable to make Partition. S. Partition 4.

12 No stranger Artificer not being Denizen, may take a lease of any dwelling house or shop. S. Aliens 14.

13 For leases of lands in North and South Tindale. S. 11.H.7.9.

Leets, Liberties, Lawdaies, and Stewards thereof.

**Of what
things Ste-
wards in
Leets shall
inquire.**

Stewards in their Leetes shall inquire by the oathes of the Jurors, if all the Schiefe pledges or headboroughs, or their dolens which owe suit to the Court, be come.

And also, if all the Jurors which owe suit to the Court, bee come, and who be not.

And if there be any of the Lords villaines, which haue fled away, and doe continue in any other place, sauing in the R. demeanes, & if they haue continued in the same

same demeanes by the space of a yere and a day, and if any of the said villaines be in any other Let saving in this.

And of Customes and seruices due to this court withowtawne, how, by whom, and in what Bailifes time.

And of Purprestures made in any land, wood, or water, to annoyance.

And of walls, houses, hedges, ditches, made by, or broken downe to annoyance.

And of bounds pulled by and carried away.

And of waies and pathes streitned and stopped.

And of waters stopped, and turned, or lead out of the right course.

And of breakers of houses, and common theues, and of their receivers.

And of those which commit petite larceny in stealing of hens, geese, or sheaves of corne.

And of theeves which steale clothes through windowes and wals.

And of those which go in the message of theeves.

And of Hypes and Cries leuied and not pursued.

And of the escape of any felon.

And of outlawes which returne without the K. warrant.

And of bloudshed, and affraies committed.

And of the rauishment of any Woman which was not presented befoze the Coroner.

And of Clippers and forgers of money.

And of treasure found.

And of Sellers of Cloth, and Curriers of Leather dwelling out of Market Townes.

And of the assise of bread and ale broken.

And of false measures, false ballances and weights, and of those which haue double measure, and buy by the greater, and sell by the lesser.

And of those which do continually haunt Tauerne.

And of those which do sleepe by day, and watch by night, & fare well, and no man knoweth wherof they liue.

And of those which take Dones in Winter by any engines.

And of any person imprisoned, which is after let go without warrant.

And of those which do flie into any Church or churchyard, & after depart without doing that which they ought to do. 18. Ed. 2.

2 Stewards of Leetes shall inquire, heare, and determine in their Leets all offences committed within their iurisdiction, contrarie to the Statute provided 1. Jacobi, touching Tanners, Curriers, Shomakers, and other Artificers, occupying the cutting of Leather, and also shall by their discretions examine all persons suspected to offend the said Act, or any parcell thereof. 1. Jacobi 22. See Leather 45.

3 Stewards of Leets in their Leets haue power to enquire of all attachments made by the officers of the Courts of the East marches, or West marches out of any of the Counties of Westmerland, Cumberland, Northumberland, or the towne of New Castle vpon Tyne, & therein to proceed, as they may vpon presentments taken befoze them in their Leets, of trespassse or affraies made against the K. peace. 13 H. 3. 3. S. Marches.

4 The Lord of euery Leet hath authoritie to inquire of all the offences committed contrarie to the purport & forme of the Statute provided (1. Eliz. for the preferuation of Spawne & Frie of Fish) within the pcerinct of the said Leet, such inquirie to be had in manner and sort as common amerciaments, or other thing inquirable in Leets hauing bin lawfully bled to be made: And vpon suerie such presentment

Leetes, Liberties, Lawdaies, and Stewards thereof.

Offence.

ment had in any Leet or Court by the oath of xij. men, of any offence made contrarie to the said Stat. all forfeitures appointed for such offence, shall be unto the Lord of the said Leet, and shall be levied as amerancements for offences committed within the precinct of such Leet have been used to be levied. And if the Steward of a Leet, or some other for him, doe not charge the Jurie sworn in every Leet to enquire of all offences done within the precinct of the same Leete, concerning the killing of Spawne or Frie of Fish, Kepper or Shedder Salmones, or Trouts, Pickerel, Salmon, Trout, or Warbell, being not of lawfull length, and concerning the mase of Nets, and other Engines, he shall forfeit for everie offence xl.s. to the Du. and him that will sue for the same. And if any Jurie sworn in a Leet, having charge to enquire of the premises, do willingly conceale and make default in presentment of the offence and offenders, the the Steward or Bailife, or their deputie, may impanell another Jurie within the same Leet, to enquire of such concealment: which being found, everie of the Jurors so concealing, shall forfeit xx.s. to the Lord of the Leet for every offence. Saving alwaies to all and every person and persons, bodies politique and corporate, and everie of them, All such right, title, interest, claime, privilege, and conservation, and enquire, and punishment, of, and for any the offences aforesaid, as they or any of them lawfully have and enjoy, or of right ought to have and enjoy by any maner of meanes: any thing ec. notwithstanding. 1. Eliz. 4. 17. 1. Jacob. 25. To continue till the end of the next Parliament. S. Fish 3. 4.

Making of Mault.

5 The Steward in every Leet shall have full power & authority to enquire, heare, and determine, as well by presentment of xij. men, as by accusation or information of ij. honest witnesses, of, for, and upon all and every the offences and forf. committed (contrarie to the Statute provided 2. Ed. 6. for the true making of Mault) as well for the R. as for the partie that shall sue, procure, or cause the same to be presented. 2. Ed. 6. Mault.

Artillerie.

6 Stewards of Franchises, Leets, and Lawdaies, have power to enquire of all and everie Breach of the Statute provided 33. H. 8. for the maintenance of Artillerie, of Buttes, and of the making and selling of Bowes in their Leetes and Lawdaies, and to heare and determine the same. And also by their discretion to examine all persons, not having Bowes, Shafts, and Arrowes, according to the said Stat. And where any forfeiture given by the said Stat. shall be found in any Leet, the Lord of the same Leet shall have the moitie thereof. 33. H. 8. 9. See Plaies 7. Archerie.

Mistallers. Artificers.

7 Stewards of Leets at their Leets, have authoritie to enquire, heare, and determine all and singular offences committed by Mistallers, Artificers, Workmen, and Labourers, against the Statute for them provided. 2. Edw. 6. and to punish the offenders according to the tenor of the same Statute. 2. Edw. 6. 15. S. Artificers 1.

Wassers.

8 Stewards of Leets, Liberties, and Lawdaies, at their Leets and Lawdaies shall and may from time to time, enquire, heare, and determine everie of the offences committed contrarie to this act provided 4. & 5. Ph. & Ma. for the taking of Waters within the precinct of their Leet or Libertie. 4. & 5. P. & M. 3. S. Captains 12. 13. 14. 15.

Crossebowes Handguns.

9 It is lawfull to all Stewards and Bailifes in their severall Leets and Lawdaies, to enquire, heare, and determine everie offence committed contrarie to the tenor of the Statute made 33. H. 8. concerning Crossebowes and Handgunnes, so that alwaies no lesse fine than x. l. bee assessed upon everie such presentment and conviction, the one moitie of everie such fine to be levied to the use of the King, and the halfe of the other moitie to the owner of the Leet, or Law-day, by distress, or action of debt, and the other halfe of the said moitie to be to the partie that will pursue for

for the same in any of the Kings Courts, by A. J. &c. wherein no M. C. P. &c. And if any Jurie, Sworne and charged to inquire for the King, of any offences committed contrarie to the said statute, do wilfully conceal any of the said offences: then the Stewards or Bailifes befoze whom any concealment shalbe had, haue authoritie to charge and sweare another Jurie of twelue, or moe, to enquire of such concealment: And if such concealment be found and presented by the said Jurie, then euery of the first Jurie shall forfeit for euery such concealment of euery offence twentie shillings, the one moitie to be leuied to the owner of the Leet, or Lawday, by distress, or action of debt, and the other to the J. to be recovered by A. J. &c. wherein no M. C. P. &c. But if the presentment or suit for any of the said forfeitures be not commenced within one halfe yeare next after the offence committed, then the offender shall bee thereof clerely discharged. 33. Henric. 8. 6. See Guns.

10 The Steward of euery Leet or Lawday hath authoritie to enquire by the othes of the Switors, of all offences committed within the Leet or Lawday against every point and article of the statute provided 2. & 3. Phil. & Mar. for the amending of Highwaies, and to assesse such reasonable fines and amercliements for the same, as shal be thought meet by the said Steward, and the Steward shal make Cstreats indented of all the fines, forfeitures, and amercliements for the defaults presented befoze him, and shall deliuer the one part thereof sealed and signed by him to the Bailife or High Constable of euery Hundred, Rape, Lath, or Wapentake, wherein the defaults shall bee presented, And the other to the Constable and Churchwardens of the Parish wherein the defaults were made, to bee deliuered yearely within six weekes next after the feast of S. Michael the Archangell. 2. & 3. Ph. & Ma. 8. 5. Eliz. 13. And the said Stewards in their Leets and Lawdaies shall heare and determine euery offence, matter, and cause, that shall grow or arise by reason of the statute provided 18. Eliz. for the amending of Highwaies. 18. El. 9. S. Highwaies.

11 All Stewards of Leets and Lawdaies, in the same Leets and Lawdaies have authoritie to enquire of all defaults, contempts, omissions, and offences committed contrarie to the effect of the statute provided 32. H. 8. concerning the breed of Horses of higher stature: and all presentments thereof found, shal be certified by the Steward, Deputie Steward, or Court holder of the same Leet or Lawday, in the next general Sessions of the peace to be holden in the county where such presentment shalbe found, or vnto the Custos Rotulorum of the same shire, within fortie daies after the presentment made. And if any such Steward, deputy, or court holder, imbeasle or conceale any such presentment, or do not certifye the same, as is foresaid, he shall forfeit for every offence cl. s. to the King and J. that will sue for the same befoze the Just. of peace in their quarter Sessions, by A. J. &c. But the forfeit. of cl. s. for putting to pasture any horse, gelding, or mare, infected with scab, or mange, upon any Forest, Chases, Parkes, waste grounds, or common fields, shalbe to the Lord of the Leet, where the offence shall be presented. 32. H. 8. 13. S. Horses 3. 4. 5. 6. 7. 8. 9.

12 Stewards in their Leets and Lawdaies haue authority to inquire and determine every default and offence of Hostlers making Horse-bread, not sufficient, lawfull, and of due assise, according to the price of cozne, committed within the limits of their iurisdiction contrarie to the statute in that case provided. 32. H. 8. 14. S. Inholders 1.

13 The Steward in every Leet hath authority to inquire by the othes of xij. lawfull men, of all offences committed contrarie to the statute provided 7. Edw. 6. to avoid the great prices and excesse of Wines, and euery such inquirie and presentment so taken and had, shall be of such force, as if the same were taken in the kings
C e e l y kings

Leetes, Liberties, Landdaies, &c. Leather, &c.

Kings Bench, and euery of the paines, penalties, and forfeitures, to be due by force of the said Act, for any offence committed by any person, which shall bee found by presentment before the said Steward, by verdict of xij. men (and no bill, plaint, action, or information thereof commenced in any of the H. Courts of Record) shall be equally diuided into two parts, wherof one shall be to the H. and the other to the poore of the towne or place where such presentment shall be found. 7. Edw. 6. 5. S. Wines 6. &c.

Fealants and Partridges.

14 Stewards of Leets, Liberties, and Landdaies, within their seuerall Jurisdictions, shall & may heare and determine of all and euery offence or offences, which shall be committed within the precinct of their liberties, jurisdictions, or franchises, against the tenor of the Act made Ann. 23. El. for the preservation of Fealants and Partridges. 23. El. 10. S. Fealants 2. 3. 4. 5.

Cottages. Inmates.

15 All and euerie Lord and Lords of Leet and Leete, and their Stewards, within the precinct of his and their Leet and Leetes, shall haue full power and authoritie within their seuerall Leetes, to inquire and take presentment by the oath of Jurors, of all and euerie offence and offences committed contrarie to the Statute made Anno 31. Elizab. against the erecting and maintaining of Cottages and Inmates, and vpon such presentment had or made, to leuie by distresse to the vse of the Lord of the Leet, all such summes of money as shall be forfeited. And mozeouer it shall be lawfull for the Lord of euery such Leet, where such presentment shall be made, to recouer to his owne vse any such forfeiture by action of Debt in any of the H. Courts of Record, wherein no W. C. P. 4c. 31. El. 7. S. Cottages. Iustices of peace 101.

Steward shall not take in farme the profits of Courts.

16 No Steward, Deputie Steward, or other Under-Steward of any Court Leets, or Court Barons, shall directly or indirectly, in his owne name, or in the name of any other, take, receiue, or make benefit to his owne vse, in money, goods, or any other thing to the value of twelue pence, or moze, by vertue or colour of any demise or graunt hereafter to be made, of any the Profits, or Perquisites, or Emmerciaments of any such Courts, whereof they are Steward, which rightfully shall belong to the Lords of the same, vpon paine that euerie Steward offending contrary to the tenor of this act, shall for euery such his offence forfeit forty pounds, and to be disabled euery after to be Steward of such Court, or of any other: The one moiety of the forfeiture to be to the King, his Heires and Successours, the other halfe to the Inf. to be recouered in any of the Kings Courts of Record, by Action of Debt, W. P. or J. wherein no W. C. P. 4c. 31. El. 7. S. Cottages. Iustices of peace 101.

1 At what time of the yeare a Leet is to be holden. S. Turne 1.

Leather, Tanner, Currier, Shoemaker.

Gashing of hides.

Watering of hides.

Rotten hides.

Calfes vnder 5. weekes old.

No Butcher by himselfe, or by any other person, shall gash, slaughter, or cut any Hide of any Ox, Bull, Steere, or Cow, in slaying thereof, or otherwise, wherby the same shall be impaired, or hurt, vpon paine of forfeiture for euerie Hide so gashed, slaughtered, or cut, xx. s. And no butcher shall water any hide, except only in the moneths of Iune, Iuly, and August: No shall offer to put to sale any hide, being putrified, or rotten, vpon paine of forfeiture for euery hide so watered, and for euerie hide so putrified, or rotten, and offered, or put to sale ij. s. iij. s. 1. Iac. 22.

2 No Butcher, or other person or persons shall kill any Calfe to sell, being vnder five weekes old, vpon paine to forfeit for euery Calfe so to be killed and sold by, s. iij. s. 1. Iac. 22.

3 No person or persons, occupying the craft or myserie of a Butcher, shall occupy

pie o2 vse by him selfe, o2 any other person o2 persons, the feat, craft, o2 myserie of a Tanner, during the time that he shal vse the craft o2 occupation of a Butcher, vpon paine of fozeiture of vij. s. viij. d. fo2 every day that he shall vse the feat, craft, o2 myserie, of a Tanner. 1. Iac. 22.

No Butcher
shalbe a Tann-
ner.

4 No person o2 persons shall tanne any Leather, o2 shall vse, take, o2 haue any profit, gaine, o2 commoditie, of, o2 by the said craft o2 myserie of Tanning of Leather, except such person o2 persons, as had a Tan-house at y beginning of this Session of Parliament (being 19. die Martij, Anno D. m. 1603.) and did then occupie the myserie of Tanning of Leather: And except such as haue beene, o2 hereafter shalbe brought vp, instructed, o2 taught, as appzntices, o2 couenant o2 hired servants fo2 that purpose, by the space of seuen yeres, in the myserie of Tanning of Leather: And except the wife, and such sonne o2 sonnes of a Tanner, as hath bene brought vp, and hath vied the myserie of Tanning of Leather, by the space of iiii. yeres, o2 the sonne, o2 daughter of a Tanner: O2 such person who shall marrie such wife, o2 daughter, to whom he hath o2 shall leaue a Tanne house, and Fats, vpon paine of fozeiture of all such Leather, by him o2 them so Tanned, o2 wherof he o2 they shall receiue any profit o2 commoditie by tanning, o2 the iust value thereof. 1. Iac. 22.

who may be
a Tanner;

5 No person o2 persons, vsing the myserie of tanning of Leather, by him selfe, o2 by any other person o2 persons, shall, during that time that he shall vse the said myserie, occupie o2 vse the craft o2 myserie of a Shoemaker, Carrier, Butcher, o2 of any other Artificer vsing o2 exercising cutting o2 working of leather, vpon paine to fozeit and lose all and euery such hide and hides, skin and skins, so by them o2 any of them wzought, o2 tanned, during the time that he shall vse the myserie o2 craft of Tanning aforesaid, o2 the iust value thereof. 1. Iac. 22.

No Tanner
shalbe a cutter
of Leather.

6 No person o2 persons shall bargaine, buy, make, contract fo2, o2 bespeake any rough hide o2 calues skin in the haire, but onely such person o2 persons as by vertue of this Act may lawfully vse the craft o2 myserie of Tanning of Leather, and shall tanne the same, o2 such person o2 persons which shal taw the same, except salt hides fo2 the necessarie vse of ships, vpon paine to fozf. all and euery such hides and skins so bought, o2 the iust value thereof. 1. Iac. 22.

who may buy
rough hides
o2 calues
skins.

7 No Tanner o2 other person o2 persons, shall fozeistall any hides comming to wards any Faire o2 Market, nor shall buy any hide any other where then in open faire o2 market, vnlesse it be of such person and persons as shal kill the same beast, whereof the said hide shall be, fo2 the prouision of his o2 their owne house, o2 houses, vpon paine of fozeiture fo2 euery hide so fozeistalled o2 bought, contrary to the true meaning of this Act, vij. s. viij. d. 1. Iac. 22.

fozeistalling
of Hides.

8 No person o2 persons shall o2 may buy, sell, bargaine, bespeake, o2 take, promise to haue, exchange, o2 put away any tanned leather not wzought and conuerted into made wares, but onely such person and persons as will and shal worke and conuert the same leather into made wares, vpon paine of fozeiture of the Leather so bought, sold, exchanged, o2 put away, o2 the value thereof. Provided alwaies, That all and euery Artificer, and other person and persons, vsing to conuert Tanned leather into any made wares, as well strangers bozne, as other, may lawfully buy all kind of tanned Leather, to make o2 conuert the same into made wares, at Leaden Hall in London, vpon euery Sunday, the same being first duely searched, Sealed, and Registered, as is hereafter limited. Provided also, That the Sadlers and Girdlers may sell their Perkes, Skyns of Tanned Leather, red, without incurring any paine o2 fozeiture fo2 the same. 1. Iacobi 22.

who only may
buy tanned
Leather: not
wzought.

9 No person o2 persons whatsoeuer, which shall occupie o2 vse by him o2 themselves, o2 by any other person o2 persons, the craft o2 myserie of tanning of leather shall

How hides
shalbe vied in
tanning.

Leather, &c.

shall suffer any Hide or Skin to lie in the lymes, till the same be ouer lymed, nor shall put any Hides or Skins into any tanne sats, befoze the lyme be well and perfectly sokened and wrough out of them, and euerie of them, nor shall vse, imploy, occupie, or put by themselves, or by any other person or persons, any thing, or stuffe in, or about the woikmanship, or tanning of Leather, but onely Ad barke, Wake barke, Tapwozt, Spault, Peale, Lyme, Culuer dung, or Penne dung: For shall willingly suffer his or their leather to be laied, or to hang, or to lie wet in any frost untill the same be frozen: For shall drie or parch the said leather with the heate of fire, or the Summer Sunne: For shall tanne or cause to be tanned any hide or skin, being putrified or rotten by long lyming, either befoze the putting of it into the lymes, or after into the water, or liquoz, or by any other means: For shall suffer the hides for vter sole leather, to lye in the Moozes any lesse time then twelue moneths at the least: For the hides for bypper leathers in the like Moozes, any lesse time then nine moneths at the least: For shall negligently woike the hides in the Moozes, but shall renew and make strong their Moozes as often as shall be requi- sit: For shall put to sale any tanned hide, or skin, which shall be wrough and tan- ned in any other sort, then by this Stat. is limited and appointed, vpon paine of for- feiture for euery Dre hide, Bull hide, Steere hide, Cow hide, or skinne tanned or wrough, or offered to be put to sale, contrarie to the true meaning of this Act, or the iust value thereof. 1. Iac. 22.

Raising of
hides with
mixtures.

10 For person or persons, vsing, or which hereafter shall vse the craft or mystery of Tanning of Leather, shall raise with any mixtures any hide, to be imployed and conuerted to Backes, Bend Leather, Clouting Leather, or any other Sole Lea- ther, except the same hide be for largenesse, state, and growth, fit and sufficient for that vse and purpose, the same to be tried by the Wriers, hereafter in this Act to be appointed, vpon paine of forfeiture of all such hides, which shall be raised, and con- uerted to Sole Leather, contrarie to the true meaning of this present prouision. 1. Iac. 22.

Sale of tan-
ned Leather
red and vn-
wrough.

11 For person or persons whatsoever that put or cause to be put to sale, exchange or otherwise depart with any kind of tanned leather, red, and vnwrough, but in open Faire, or Market, in the places therfoze commonly accustomed, and there- foze prepared, vnlesse the same leather haue beene befoze lawfully searched and sealed in some open faire or market, or other place lawfully appointed to and for the searching and sealing of leather: For shall offer or put to sale any tanned lea- ther, red, and vnwrough, befoze the same be searched, and sealed, according to the lawes and order of this Statute, hereafter mentioned, vpon paine of forfeiture for euerie hide or piece of leather so sold, exchanged, or otherwise departed with, contrarie to the true meaning of this Act, fir shillings eight pence, and for euery do- zen of Calues skins, or Sheepe skins iij. s. iiij. s. and the hide or hides, skin or skins, and leather, in any otherwise sold, exchanged, or bought, or the value thereof. 1. Iac. 22.

Leather not
sufficiently
tanned or
dried.

12 If any person or persons, vsing, or which shall vse the Myserie or Faculty of Tanning, shall at any time or times hereafter, offer or put to sale any kind of lea- ther, which shall be insufficiently, or not thzoughly tanned, or which shall not then haue beene after the tanning thereof, well and thzoughly dried, so that the same by the Wriers of Leather, lawfully appointed according to this Act, for the time being shall be found to be insufficiently, or not thzoughly tanned, or not thzoughly dried, as aforesaid, then all and enery such person and persons so offending, shall for- feit so much of his or their said leather, as shall be found insufficiently, and not thzoughly tanned or not thzoughly dried, as aforesaid: that is to say, the whole hide, backe, or skin, or other piece of Leather, if the whole bee insufficiently, or not thzoughly tanned, or not thzoughly dried: And if the whole hide, backe, skin,

02 other peece of Leather, bee not sufficiently, 02 not thoroughly tanned, 02 not thoroughly dyed, then onely so much of the hide, backe, skin, 02 other peece of leather, as shall bee insufficiently 02 not thoroughly tanned, 02 not thoroughly dyed, the same to be cut out by the oversight, discretion and direction of the Triers hereafter in this Act to bee appointed, vpon the othes of the said Triers. 1. Iacob. 22.

13 No person 02 persons, shall set their Fattes in Tanne-hils, 02 other places, where the Moozes 02 Leather that shall be put to Tanne in the same, shall 02 may take any unkinde heats, 02 shall put any Leather into any hot 02 warme Moozes, 02 shall Tanne any Hide, Calues skin, 02 Sheeps skin, without any hot 02 warme Moozes whatsoeuer, vpon paine that euery person so offending, shall for. for euery such offence v. l. And shall also for euery such offence stand vpon the Pillozie three severall market daies, in the market towne next to the place where the said offence shall be committed. 1. Iacob. 22.

Leather shall not take vne kinde heat:

14 No person 02 persons shall regrade, ingrosse, 02 get into their hand, by buying, contracting, 02 promise taking, any Waken barke, befoze it be stripped 02 after, to the intent to sell the same againe, vpon paine of forfeiture of all such barke, so by him 02 them regrated, ingrossed, 02 bought contrarie to the true meaning of this present branch, 02 the full value thereof. 1. Iacob. 22.

No regrating 02 ingrossing of barke.

15 No person 02 persons shall sell 02 cause to be felled, any Waken trees, met to bee barked, where barke is worth two shillings a Cart load ouer and aboue the charges of barking and pilling (Timber to be employed to and for the necessarie and needfull building 02 reparation of Houses, Shippes, 02 Mills, onely excepted) but betweene the first day of Aprill, and the last day of Iune, vpon paine of forfeiture of euerie such Waken Tree so forfelled, 02 double the value thereof. 1. Iacob. 22.

At what time trees to bee barked shall be felled.

16 No taker, 02 takers, puruey, 02 puruey of Timber, 02 his 02 their deputies, shall sell 02 cause to be felled, for the vse of the B. Maiesstie, his heires 02 successors, any oaken timber tree, 02 trees meet to be barked, but in barking time (trees to be felled, for the needfull & necessary building 02 repairing of any his B. houles, 02 ships, only excepted) 02 shall in any wise take 02 receiue any manner of profit, gaine, 02 commoditie, by any loppes, tops, 02 barke of any Trees, to be taken by them, 02 any of them: 02 shall in any wise take, carrie away, giue, sell, 02 dispose from the owner, any moze of any tree to be taken, as is aforesaid, then only the timber of the same tree 02 trees to be used and bestowed, 02 employed onely in, vpon, 02 about the B. Maiessties buildings, 02 ships, vpon pain of forfeiture to the party grieved, for euery tree, and for the lops, tops, 02 barke of euerie tree, taken contrarie to the meaning of this article, v. l. s. And it shall be lawfull to the partie of whom such tree 02 trees shall be taken, 02 to any other for & in his name, to take, retaine, withhold, and keepe to himselfe all the barke, lop, and top, of such tree 02 trees, Any Commission 02 other matter whatsoeuer notwithstanding. 1. Iacob. 22.

At what time Purueys shall sell timber

No taking of Loppes.

16 No person 02 persons shall currie any kind of Leather in the house of any Shoemaker, 02 other person, but onely in his owne house, situate in a corporat 02 market towne, No shall currie any kinde of Leather, except it be well and perfectly tanned, No shall currie any hide, 02 skin, being not thoroughly dyed, after his wet season, In which wet season he shall not vse any stale, vyne, 02 any other deuilfull 02 subtill mixture, thing, way, 02 meanes, to corrupt 02 hurt the same, No shall currie any Leather meete for better sole Leather, with any other stuffe then with hard fallow, no of any lesse of that, then the Leather will receiue: No shall currie any kind of leather meet for ouer leather, and inner soles, but with good and sufficient stuffe, being fresh and not salt, and thoroughly liquored till it can receiue no moze, No shall burne 02 scald any hide 02 leather in the currying, No shall shane any

Currying of Leather.

Leather, &c.

any leather too thin, so that shall gash or hurt any leather in the shauing, or by any other meanes, But shall worke the same sufficiently in all points & respects, vpon paine of forfeiture for euery such offence or acts done contrarie to the true meaning of this article (other then in gashing or hurting in shauing) by .s. viij. d. and the value of euery such skin, or hide, marred by his euill workmanship, and for euery offence to be done against this article, in gashing, or hurting by shauing, double so much to the partie griued, as the leather shall be impaired thereby, by the iudgement of the Wardens of the Curriers, and the warden of the Companie whereof the partie griued shalbe. 1. Jac. 22.

Who shal cur-
rie leather in
or neere Lon-
don.

18 No Cordwainer, Shoemaker, or other person or persons, dwelling or inhabiting within the city of London, or the liberties of the same, or dwelling within its miles of the said citie, & occupying wet curried leather in his art or occupation, shall put or cause to be put, any leather to be curried, but to such person or persons, as be or shall be free of the Companie of the Curriers of the citie of London, vpon paine of forfeit. of all such curried leather, or the value thereof. 1. Jac. 22.

Curried lea-
ther shall be
searched and
sealed.

19 No person or persons, shall by any means occupie, or put in any made wares within the citie of London, or thre miles of the same citie, any curried leather, be soe the same shall be searched, & allowed by the Wardens of the Curriers of London for the time being, or such persons as they shall thereto assigne and bee sealed with a seale thereto to be prepared, vpon paine that euery Shoemaker and other Artificer, Cutter of leather, offending against this article, shal forfeit for euery hide or skin otherwise curried or employed, as is aforesaid, six shillings eight pence, and the value of euery such hide or skin. 1. Jac. 22.

A Currier
shall not be a
tanner, Shoo-
maker. &c.

20 No person occupying the feat or myserie of a Currier, shall vse or exercise the feat or myserie of a Tanner, Cordwainer, Shoemaker, Butcher, or other Artificer, vsing cutting of leather, during the time that he shall so vse or occupy the myserie of a Currier, vpon paine of forfeit. of .vj. s. viij. d. for euery hide or skin, that he shall Currie, during the time that he shall occupie any of the mysuries aforesaid, contrarie to the meaning of this article. 1. Jac. 22.

Within what
time leather
shalbe curried.

21 No Currier or Curriers shall refuse to currie any leather to him or them for that purpose brought, by any such Artificer, as is or shall be a cutter of leather, the same Artificer or his seruant, bringing with him or them good and sufficient stuffe, as is before mentioned, for the perfect liquozing of the same leather: And the said leather in the presence of the said Artificers, cutters of leather, his seruant or seruants (if he or they will be present) shall be liquozed and curried in all things, and degrees perfectly: And if he or they will not be present, it shall neuertheless be likewise liquozed and curried in his or their absence, perfectly, with as conuenient speed as may be, not exceeding eight daies in summer, and sixteene daies in winter, after he shall or may take it in hand, vpon paine to forfeit to the partie griued for euery hide and pece of leather, not in this maner curried and well and speedily des- sed, .x. s. 1. Jac. 22.

Searching
and sealing
of curried
leather.

22 The Wardens of the Curriers for the time being, or such persons as they shall assigne & appoint, shall from time to time search and trie all such curried leather as shalbe brought to any of their company to be curried, & shal with a seal ther- soe to be prepared, with conuenient speed, not exceeding one day after the currying and request made, seale such leather as they shal find sufficiently curried, taking for euery hide so sealed, after the rate of .j. d. for the dicker, and for euery sixe dozen of calues skins .j. d. and not aboue, to be paid by the currier, vpon paine of forfeit. for euery hide which shall not be searched and sealed as is aforesaid by .s. viij. d. 1. Jac. 22.

The Shoema-
kers dutie.

23 No person or persons, which shall occupie the myserie or Occupation of a Cordwainer, or Shoemaker, shall make or cause to be made, any Boots, Shoes, Buskins, Startups, Slippers, or Pantofles, or any part of them, of English lea- ther

ther wet curried (other then Deere skins, Calves skins, or Goat skins, made or dyed like unto Spanish leather) but of leather well and truly tanned, & curried, in maner & forme aforesaid, or of leather well and truly tanned onely, and wel and substantially sewed, with good thred well twisted and made, and sufficiently war- ed, with war well rosened, and the stiches hard drawn with hand leathers, as hath bin accustomed, without mixing or mingling overleathers, that is to say, part of overleather being of Beats leather, part of Calves leather, for shall put into any shoes, boots, buskins, startups, slippers, or pantofles, any leather made of shepe skin, bull hide, or horse hide, for into the upper leather of any shoes, startups, slip- pers, or pantofles, or into the neather part of any boots (the inner part of the shoe onely excepted) any part of any hide from which the sole leather is cut, called the wombes, necke, shanke, flanke, powle, or cheeke, for shall put into the vtter sole a- ny other leather then the best of the ore, or deere hide, for into the inner sole, any other leather then the wombes, necks, powle, or cheeke, nor in the tresswels of the double soled shoes, other then the flanks of any the hides aforesaid, nor shall make or put to sale in any yeare betwene the last of September and the twentieth of Oc- tober, any shoes, boots, buskins, startups, slippers, or pantofles, meet for any person to weare, exceeding the age of foure yeares, wherein shall be any drie English leather (other then calve skins, or goat skins made, or dyed, or to be made or dyed, like unto Spanish leather, or any part thereof:) for shall shew to the intent to put to sale any shoes, boots, buskins, startups, slippers, or pantofles, upon the Sunday, upon paine of forfeiture for euery paire of shoes, boots, buskins, startups, slippers, and pantofles, made, sold, shewed, or put to sale, contrarie to the true meaning of this Act, iii. s. iiij. d. and the iust and full value of the same. i. l. c. 22.

No sale of shoes upon the Sunday

24 The Masters and Wardens of the severall Mysteries of Cordwainers, Curriers, Girdlers, and Sadlers of the city of London, for the time being, by what name or names soener, they be incorporated or intituled, or the more part of the said Master and Wardens of euery of the said severall mysteries upon pain to forfe. xli. s. for euery yere that they make default, the one halfe thereof to be the R. Ma. his heires, and successors, and the other halfe to him or them that will sue for the same, shall by vertue of this Act foure times in the yere at the least, That is to say, once euery quarter of the yeare, or oftner if need require, as they shall thinke good, make true search and viewe of and for all Bootes, shoes, buskins, and other wares, and things whatsoener made of tanned leather, in all and euery house and houses, place and places, priuiledged and not priuiledged, as well within the citie of London, and Suburbs thereof, as in euery other place within three miles of the same citie, where any shoemaker, Sadler, Girdler, Currier, or other Artificer, b- sing cutting, working, or dressing of leather, doth or shall dwell, or occupie any of the occupations, of cutting, working or dressing of leather, whether the same boots, shoes, wares, stuffe, and other things to be made of tanned leather, & be wrought according to the purport, effect, and true meaning of this Stat. or not. And it shall and may be lawfull to and for the said severall masters, and wardens of the said se- uerall mysteries, which shall be for the time being, to take, seize and carrie away to their severall common Halls, all such Boots, shoes, wares, stuffe, or other things which the said severall masters and wardens shall find in their severall sear- ches, insufficiently made, curried, or wrought. Provided alwaies, That none of the said severall masters and wardens of the said severall companies of Cordwai- ners, Curriers, Girdlers, or Sadlers, shall search any person or persons, but such as be and exercise the mystery or occupation of the master and wardens. And that the Coachmakers dwelling within the said citie of London, or three miles from the same, shall be under the suruey and search of the master and wardens of the compa- nie

Searching of wares made of tanned lea- ther.

Coachma- bers.

Leather, &c.

Searchers & Sealers of leather in London.

nie of the Sadlers of London. 1. Lac. 22.

25 The Maior of the citie of London, and the Aldermen for the time being, upon like paine of xl. l. liketowse to be leuied and imploied, shall likewise yearly appoint eight of the most substantiall, honest, and expert persons, being framen of some of the companies of Cordwainers, Curriers, Sadlers, or Cordlers, within the city of London, whereof one shalbe a Sealer, and keepe a Seale for the sealing of leather to be prepared, who shall also be swozne befoze the said Maior and Aldermen, for the time being, to do their office truely: Which said Searchers and Sealers, shall view and search all and euery tanned hide, skin, or leather, which shalbe brought as well to the market of Leaden Hall, as to any other lawfull faire or market theresoze usually appointed, within thre miles of the said City, whether the same be sufficiently and thoroughly tanned, and thoroughly dried, according to the purpozt and true meaning of this Statute, or no: And finding it sufficiently and thoroughly tanned, and thoroughly dried, in such manner and forme, as by this Stat. is appointed, shall seale the same with the said seale. 1. Lac. 22.

Searching & sealing of leather in all other parts of the Realme.

26 All Maiors, bailife, and other head offices, for the time being, in all other Cities, boroughs, and market towns of this Realme, And all Lords of Liberties, faires and markets, out of the circuit or compasse of the said thre miles, shall upon like paine of xl. l. likewise to be leuied and imploied every yere that they make default herein, appoint and sweare yearly two, three, or more persons of the most honest & skilfull men within their severall offices or liberties, by their discretion to search and view within the precinct of their said offices, liberties, & anthozities, which shal as often as they shall thinke good, or need shall be, make like search within their limits, and shall haue a marke or seale prepared for that purpose: And the said Searchers, or one of them, shall keepe the same Seale or Marke, and with the same shall seale and marke such leather, as they shall find sufficient, and no other: And if the said Searchers or any of them, doe find any leather sold, or offered to be sold, or brought to be searched or sealed, which shall be tanned, wrought, converted, or used contrarie to the true intent and meaning of this Statute, or any leather insufficiently curried, or any boots, shoes, bydles, or any other thing made of tanned or curried leather, insufficiently tanned, curried, or wrought contrarie to any provision in this present Act, it shall be lawfull to the said Searchers, or any of them, to seize all such leather, shoes, or other wares made of leather, and to retaine the same in their custodie, vntill such time as the same be tried by triers, and in such manner and forme as is hereafter in this Statute appointed. 1. Lac. 22.

Five triers of Leather in London.

27 The Maior of the citie of London, for the time being, within five dales after notice to him giuen of any seizure made of any leather red, and unwrought, within the iurisdiction of the said Citie, or thre miles distant from the same, either by the owner or owners, or by the seisors of the said leather, shall elect and appoint five honest and expert men, whereof there shall be of the better sort of the Compagnie of Cordwainers of London two, of the better sort of the Curriers of London two, and other two of the better sort of Tanners using Leaden Hall market, who shall be no kinne or of affinity to the said owner or owners, who upon their corporall oathes to be taken befoze the said Maior, shal on the second or third market day, at the furthest, to be holden upon the munday for leather, next after the said seizure, in the afternoone of the same day (to the intent the owner or owners may conveniently be present) inquire, & traitly examine & trie, whether the said leather so seized shall be sufficient and seruiceable or not, according to the intent and true meaning of this Act. 1. Lac. 22.

Triers of leather in other places.

28 Euerie other Maior, Bailife, or other head officer, or Lord of Liberty, or his sufficient deputie out of the said compasse of the said thre miles, within whose precincts or liberties any such seizure of any kind of tanned leather, red or curried, or of any

any shoes, bootes, or other wares made of tanned leather, shall happen to be, shall with all convenient speed after notice vnto him giuen, of any such seizure, appoint five honest and expert men, to trie whether the same leather, bootes, shoes, or other wares so seized, be sufficient and according to the true intent of this statute or not, the same triall to be made openly vpon some market day, and within fiftene daies at the furthest next after such seizure made vpon the oathes of the said Criers. 1. Iacobi 22.

29 If the said Mayor of the Citie of London for the time being, or any other Mayor, Bailiffe, or other head Officers of any other citie, borough, corporation or market towne, or any Lord of any Libertie, Faire, or market, shall make default in the nomination or appointment of any the foresaid Criers, to be nominated & appointed in such manner and forme as is before ordained, then euery such Mayor, Bailiffe, or other head Officer, or Lord of Libertie, Faire, or market, making such default, shall forfeit and loose for euery default v.L. the one moitie thereof shall be to the B. Paiesse, his heires or successors, and other halfe to him or them that will sue for the same, in any of the B. Courts of Record, by B. P. J. or otherwise. And the said persons so elected and appointed for triall of the said leather, shoes, boots, or other wares, made of tanned leather, so to be seized as aforesaid, shall proceed & doe their duties therein without delay, according to the true intent and meaning of this Act, vpon paine that euery of them making default therein, shall for euery such seuerall default, forfeit and pay v.L. 1. Iac. 22.

The penaltie for not appointing of criers.

30 Foure of the said eight Searchers and Sealers, so to be appointed within the said Citie of London, as aforesaid, shall be at the end of euery yeare changed and remoued, and so many new chosen in their roomes and places: And no person or persons shall remaine, continue, or be in the said Office of searching or sealing of leather, within the said Citie of London, aboue the space of two yerres together: And he or they which shall serue or be employed in the said Office of Searching, and Sealing of leather two yeares, shall not in the said Office be chosen, serue, or be employed againe, untill the end of thre yeares at the least then next following, vpon paine that euery person offending or doing the contrarie, shall forfeit for euery moneth that he shall contrarie vse and exercise the said Office, x. pounds. 1. Iac. 22.

Changing yearly the Searchers and Sealers of Leather.

31 If any Searcher or Sealer of leather, shall refuse with convenient speed to seale any leather sufficiently tanned, wrought, and bled according to the true meaning of this Act, or doe allow that which shall be insufficient, then euery Searcher and Sealer, shall forfeit for euery such offence xl. s. And further, if any Searcher of leather shall receiue any bribe, or exact any other fee, for the execution of his said Office, than is by this stat. limited, for the searching, sealing, and registering of leather, then euery such Searcher or sealer, so offending, shall forfeit for euery such offence xx. l. And if any person or persons duly elected, according to the true meaning of this Act, to and for the execution of the said Office of searching or sealing of leather, refuse to execute the said office, then the said person or persons so refusing, shall forfeit and pay x. l. 1. Iac. 22.

A Searcher or Sealer committeth his dutie, or taketh bribes.

32 All red tanned leather, which shall be brought into the citie of London, or within thre miles compasse from the same, whether it be to be sold, or be bought before hand or no, shall be brought to Leaden hall before it be housed in his or their owne houses, and there viewed, whether it hath been searched, or sealed, or no, and shall also be registred by the Searchers to be appointed as is aforesaid, with halfe such fees to be paid, for such of y^e said tanned leather, as shall be bought out of the said city of London, or thre miles compasse from the same, and shall be duly searched and sealed before it be brought within the said Citie, as is hereafter expressed for leather to be sold in Leaden Hall, vpon paine that that euery parson housing, or

Leather brought to Leaden hall to be viewed and registred.

Leather, &c.

not byinging his leather to Leaden Hall, as is aforesaid, shall forfeit for everie hide or skinne, five shillings eight pence. Provided, that this Article shall not extend to any leather to be bought in Bartholomew faire, or Southwarke market, being searched, sealed, and registred, according to the true meaning of this Act. 1. Jac. 22.

Searching and sealing of leather sold in or nere London. 33 No tanned leather shall be sold within the Citie of London, or three miles distant from the same, before the same have bin searched & sealed by the searchers & sealers, by vertue of this Act to be appointed to and for the searching & sealing of leather within the said citie, & three miles distant from the same, upon paine of forfeit of all such tanned leather otherwise sold, or the full value thereof. 1. Jac. 22.

The penaltie for denying of search. 34 If any person will wilfully withstand or deny any such search to be made, according to the tenor of this Act, as is aforesaid, or will not suffer the said severall Masters and Wardens of the severall Companies of Cordwainers, Curriers, Girdlers, or Sadlers, or other Searchers so appointed, to enter into his or their house or houses, or other place to view and search at their will and pleasure, all manner of tanned leather, and all manner of Shoes, Bootes, Pales, Sables, Coach coverings and Harnes, & all manner of wares wrought & made, or to be wrought and made of leather, and to seize and carrie away all such leather, Shoes, & wares, as they shall find insufficiently tanned, carried or wrought, or made of ill stuffe: Then all and every such person and persons, so denying and withstanding, and not suffering the said Master and Wardens, and Searchers, or any of them so appointed for the time being, to enter and make search and seize as aforesaid, shall loose and forfeit for every time so denying and withstanding, 6. l. 1. Jac. 22.

Registring of leather sold and bought. 35 Such person and persons as hereafter shall be assigned and appointed, searchers and sealers of tanned leather, by vertue of this act, shall within the limits and precincts of every of their Searches, keepe one booke or register, wherein they shall enter all such bargaines as shall be made for leather, hides, or skinnes, by any person or persons, during and by all the time of the Faire or Market, being thereunto required by the buyer or the seller, and also the prices of such leather, bought and sold, with the names and dwelling places of the buyer and seller, taking for the searching, sealing, and registering of every ten hides, backes, or butts of leather, with the neckes, wombes, and dibbins, or other peeces of offall cut off from the said backes or butts of leather, of the seller of every such ten hides, backes, or butts of leather, so entred, two pence, and so after the rate, and for every five dozen of Calve skinnes, or sheepe skins, two pence, and of the buyer after the same rate, & no more, greater, or other summe or summes of money to be paid for searching, sealing, or entering of any tanned leather. 1. Jac. 22.

The penaltie for selling leather not registred. 36 No person or persons shall sell, exchange, or put away, or cause to be sold, exchanged, or put away, any manner of tanned leather, red and unwrought, except he or they register or cause to be registred, the said tanned leather, and every part and parcell thereof, and the price thereof, upon paine of forfeiture of the value of the Leather so sold, exchanged, or put away, and not registred. 1. Jac. 22. No person, or persons shall at any time hereafter incur any penaltie, losse, or forfeiture, for housing, selling, or buying of any tanned sheepe skins, unsearched or unsealed so as the said sheepe skins unsearched and unsealed shall be wrought and converted into made wares within this realme of England, Any thing in the said Statute of 1. Jac. to the contrarie notwithstanding. 4. Jac. 6.

Tanned sheepe skins. 37 It shall not be lawfull to or for any person or persons, to buy any tanned leather, before the same shall be searched and sealed, nor to carrie or cause to be carried, out of the Faire or Market, any leather till it be registred as aforesaid, upon paine to forfeit the said leather, or the value thereof, so bought and not searched and sealed, or carried away, and not registred. 1. Jac. 22.

38 If any Currier within the said citie of London, or 3 miles compasse of the same, doe currie any leather insufficiently tanned, or doe not currie such leather, as he doth or shall currie, substantially and well, according to the meaning and purport of this Act, or if any Shoemaker, Cordwainer, or Cöbler, within the Citie of London, or 3 miles compasse of the same, put any tanned leather into any shoes, boots, buskins, startups, slippers, pãtoflies, or other things made of tanned leather which shall not be well and perfectly tanned, according to the purport & true meaning of this act, or doe put any curried leather into any boots, buskins, startups, shoes, slippers, pãtoflies, or other things made of leather, which shall not be well and sufficiently tanned and curried, & also sealed as is aforesaid, or do make boots, buskins, shoes, startups, slippers, pãtoflies, or other things made of English tanned leather, in any other manner than is above specified, and ordained: or if any shoemaker, saddler or other Artificer, using cutting or working of leather, do make any wares of any tanned leather, insufficiently tanned, or of tanned or curried leather, being not sufficiently tanned and curried, as is aforesaid, or doe not make their wares, belonging to their severall occupations, sufficiently and substantially, then every person so offending, shall forfeit for every such severall offence, or default, the said Wares, and the full value thereof. 1. Jac. 22.

The penalties of the Currier or Cordwainer omitting his duty.

39 No manner of person or persons, shall utter or sell, or cause to be uttered or sold, within the said citie of London, or within three miles compasse of the same, any manner of Wares appertaining to the Craft or Myserie of any Artificer, using cutting of leather, but onely in open Shop, common Faire, or Market, whereby the said Wardens may have the true search of the same, upon paine of forfeiture of all such Wares so sold, and ten shillings for everie time. 1. Jac. 22.

Selling of Wares in Shop, faire, or market.

40 All and every person and persons whatsoever, now being, or that hereafter shall be free of the said citie of London, of what companie soever, and all Forreiners, English or Aliens, and Strangers bozne, dwelling or inhabiting, or which hereafter shall dwell or inhabit within the citie of London, or three miles compasse of the same, as well within places privileged, as not privileged, using or exercising any manuell occupation of cutting or working of leather into made wares, shall be under the survey and search of the Masters and Wardens of such Companies of the said Citie of London, as the Artificers commonly using the same Myserie or Occupation, being freemen of the Citie of London, and of the same Companie be, touching and concerning onely their wares and stuffe, made of or with leather, in like manner and forme, as other freemen of the same companie be or shall be: And shall contribute and pay to the said severall Masters and Wardens of the said severall Companies, for the time being, within the said Citie, as the Artificers using the same myserie being freemen of the said citie, and of the same severall Companies, shall contribute and pay, the same to be recovered by distress, or action of debt, in any of the R. Maiesties courts of Record, In which no Wager of law for the defendant to be allowed. 1. Jac. 22.

All cutters of Leather in or neere London shall be under search.

41 All which paines, penalties, and forfeitures aforesaid, of summes of money aforesaid (except such paines, penalties, and forfeitures, as are before, or hereafter by this Act, shall otherwise be disposed) shall be divided into three equal parts, one part whereof shall be to the R. his heires and successors, And another part to him or them that shall first sue for the same, in any of the Courts of Record of the Kings Maiestie his heires & successors, by A. B. D. J. or otherwise, In which suit no W. or C. shall be admitted, And the third part thereof shall go to the Citie, Borough, Town, or Lord or Lords of Libertie, where the offence shall be committed or done, And all such leather, shoes, bootes, buskins, startups, slippers, pãtoflies, wares, stuffe, or other things whatsoever, made of tãned leather, or curried leather, which shall be seized by vertue of this Act, & shall be found by the Tryers to be appointed

Who shall have the forfeitures.

Leather, &c.

as is aforesaid, or by the Masters or Wardens of the severall Companies aforesaid, to be sufficient, shall be forfeited & distributed as hereafter followeth: Such leather or stuffe so seized within the citie of London, or within three miles compass of the same, to be brought to Guild hall in London, there to be prized by indifferent persons, and the value thereof to be divided into three parts, whereof one part to be to the first seisor and seisors of the said unlawfull stuffe, and an other part to the use of the Chamber of London, and the other part to be distributed to the poore folkes, as well being, within the new Hospitall of Saint Bartholmeues in London, as to such poore householders as shall be inhabiting within the citie of London, or the circuit aforesaid, at the discretions of such persons, as the Mayor of the said city, & foure Aldermen of the same, for the time being, shall appoint for the same. And all such leather, bootes, sables, wares, stuffe, and things made of or with leather, as is aforesaid, which shall be found within any other citie, borough, towne, or place within this Realme, out of the said citie of London, and three miles compass, but sufficiently wrought, tanned, or curried, as is aforesaid, and shall be seized and tried to be forfeited in maner and forme aforesaid, shall be brought to the common Hall of every such citie, borough, and towne, or to some convenient and open place to be appointed by the Lord of the Libertie, or his Deputie, where no common hall is, there to be prized as is aforesaid: One part of the said value thereof, to be disposed unto the poore, and in other deeds of charitie, in those parts, after the discretion of the Mayors, Bailifes, Headboroughs, and Lords of Liberties: Another part to be deliuered to the Mayors, Bailifes, and other head officers of any Citie, borough, or towne corporate, to the use of the Communitie of such citie, borough, or towne corporate, and where no such Officers be, then to the Lord or Lords of the Libertie where any such forfeiture shall be committed, or seisure had: And the third part to the seisor or seisors of such leather, stuffe, or wares, insufficiently tanned, curried, or wrought, as is aforesaid, for his and their paines. 1. Lac. 22.

Forfeited
sware shall not
be sold to him
that will sel it

42 No person to whom any such unlawfull leather or stuffe shall be given by this Act, shall give or sel any such leather or stuffe to any person or persons that shall sell the same, upon paine that the buyer shall forfeit for everie parcel of such unlawfull leather, or stuffe to be sold, contrarie to the true meaning of this clause, iv. s. iij. d. 1. Lac. 22.

Officers of
Oxford and
Cambridge.

43 But this Act, nor any thing therein contained, shall not in any wise by preiudiciall or hurtfull to the Chancelors, Vicechancelors, Proctors, Treasors, and Schollers, their Officers, Spinisters, Assignes, or Farmers of the Universties of Oxford, and Cambridge, or any of them, of, for, or concerning the authoritie of searsh of tanned Leather, or any of the forfeitures of the same, which they lawfully had, or might have had before the making of this Act, so as they doe in all things observe such order, in, about, or for searshing, sealing, and registering of leather, as by this Act is prescribed and appointed, upon the paine therein contained, any thing herein contained to the contrarie notwithstanding. 1. Lac. 22.

what shall be
reputed leather

44 The hides and skins of ore, deere, bull, colw, calfe, deere red & fallow, goats and sheepe, being tanned, or tawed, and everie salt hide, is, shall be, and ever hath bin reputed and taken for leather. 1. Lac. 22.

who may en-
quire of and
punish offend-
ers.

45 All Justices of Assise, Justices of Coale deliuerie, J. of Peace, & Stewards of Franchises, Leetes, and Lawdayes within their severall precincts, iurisdiccions, and Liberties, And the Mayor of London, for the time being, within the said Citie, and within three miles compass of the said citie, and all other Mayors, Bailifes, and other head Officers of cities, boroughs, and townes, within their severall iurisdiccions, liberties, precincts, offices, and authoritties, shall inquire of all the premises in their Sessions, Leet or Lawday, and heare and determine the same, and also by their discretions examine all persons suspected to offend this Act, or any parcell

parcell therof. Where any man, or libertie, or franchise, immediately appertaineth to the L. Pa. his heires or successors, The Steward for the time being of every such man, or libertie, and franchise, shall have the like authorities, powers, jurisdictions, and advantages, and also shall beare and pay all the like paines, penalties and forfeitures, as are given, appointed, limited, or laid by this Statute to or upon, the lords of liberties and franchises, as in this Statute is expressed. 1. Ia. 22.

46 All currying and dressing of leather, commonly called by currying, and frizing shall be construed to be dressing and currying of the maner of Spanish leather, of what colour soever it be: And to all Artifices (other than Shoemakers, yearely betwene the last of September, and the twentieth of Aprill) it shall be lawfull to use all kinds of leather dressed and curried in that maner of dye currying and frizing, as they lawfully might before the making of this act, so that the same leather so to be used, be well and sufficiently tanned according to the forme prescribed in this act, And also well and substantially dressed, curried, and frized, in the maner of dye currying and frizing abovesaid. 1. Ia. 22.

Spanish leather.

Dye currying and frizing of leather.

47 This act and every part thereof, shall be construed and adiudged, to extend to Wales, as amply as it doth to this Realme, to all intents. 1. Ia. 22.

This Act shall extend to Wales.

48 If any person or persons, shall at any time hereafter procure, or obtaine any graunt, or L. patents, purposing to give licence or authoritie to any person or persons, to dispence with, or tolerate any offence against any clause, provision, or article in this act, then and immediately from and after such letters patents, or grant obtained, all and every such clauses, articles, and provisions, so by the said Letters patents, or graunt authorized, or licenced to be dispenced with or tollerated as abovesaid, shall be utterly repealed, void, and of none effect, any thing in this act contained to the contrarie in any wise notwithstanding. 1. Ia. 22.

Licence to dispence with offences.

49 It is not lawfull for any person to make any pelts, that is to say, to pull, sheare, clippe, or take away the wooll of any sheep skin, or lambe skin, or to buy any skin of any Stag, hind, bucke, doe, or fawne, or kid, or the pelts or skins of any of them unlesse such person doe make, or cause to be made thereof, tawed, or lawfull tanned leather, or parchment, or otherwise convert the same into Semits, Vannels, or other his owne necessarie uses, upon paine that every person so making pelts, or buying of any of the pelts or skins abovesaid, shall forfeit the value of all such pelts and skins made and bought, and two shillings five pence for every skin or pelt. 5. Eliz. 22. 18. Eliz. 14.

Making of Pelts.

50 It shall not be lawfull for any person to lade, ship, or carrie in any vessell or ship, or otherwise, any leather, tallow, or raw hides, of intent to transport the same into any place beyond the Seas, or into Scotland, by land or by seas, upon paine of the forfeiture of the said leather, tallow, or raw hides, so laden or transported, and treble the value thereof, to be forfeited by the owner or owners. And also the owners of the said ships or vessels, knowing of such offence, shall forfeit the said ships or vessels, with all their apparell and furniture to them belonging. And the Masters and Mariners knowing of such offence, shall have imprisonment by the space of one yere, without baile or mainprise, and forfeit all their goods and chattels to the Q. & J. to be recovered by A. J. &c. wherein no W. &c. J. &c. But if any owner of any such ship or vessell, or any Master or Mariner, knowing any such transporting of leather, tallow, or raw hides, shall within three moneths next after his knowledge thereof, or after his returne into this Realme, give good information bona fide, before any of the Barons of the Exchequer, or before the L. President or Councell in the North, or in the Marches of Wales, or before the head Officer of any Port where he shall first arrive, upon his oath, of the number and quantitie of leather, tallow, and raw hides so transported, & by whom, where, and in what ship or vessell, and afterwards shall be readie upon reasonable war-

Transporting leather, tallow, or raw hides.

Owners of ships.

Mariners.

Leather, &c. Limitation of prescription.

ning by proces, to iustifie and proue the same for the Quene, then such Winner, Master, or Mariner, shall not forfeit his ship, nor incurre the forfeitures aforesaid. 18. Eliz. 8.

Buying leather to transport by licence.

51 Every person which hath the R. licence to carrie over sea any tanned leather, may buy in open faire or market, so much as he shall be licenced to transport, so that the said licence be shewed to the chiefe Officer of the said faire or market, which Officer shall write upon the backe side of the licence, how much leather the partie licenced hath bought, and the day, time, and place of buying the same, that thereby it may appeare, how and when every such licence shall be satisfied. 5. Edw. 6. 15.

Transporting of shoes, bootes, &c.

52 No person shall ship or cause to be shipped (to the intent to transport over the Sea, as merchandizes to be sold or exchanged there) any shoes, bootes, buskins, Kartups, or slippers, upon paine to forfeit the same to the King, and him that will seize or sue of the same, by A. J. &c. wherein no W. &c. C. P. &c. But this Act shall not be prejudiciall to any person for transporting so much of the foresaid wares, unto the Isle of Man, as is necessarie for the furniture to the R. subjects there. 5. Ed. 6. 15.

Ingrossing of tanned leather

53 If any person do buy or ingrosse any kind of tanned leather, to the intent to sell the same againe (except Sadlers, Girdlers, Cordwainers, and other Artificers making wares of leather, which may buy such kind of tanned leather, as is necessarie for their occupping to be wrought by them) he shall forfeit the same, or the price thereof. But the foresaid artificers may sell their wombs, shreds and neckes which they cannot occupie about their wares. 5. Ed. 6. 15.

Tanned leather shall not be sold by weight.

14 No person or persons, shall utter or sell, or cause to be uttered or sold by weight any kind of tanned leather whatsoever, upon paine of forfeiture of the said leather so uttered and sold, to the R. &c. and J. the said leather, or the value thereof, to be recovered in any of the R. Courts of Record, by A. B. P. or J. &c. wherein no W. &c. or P. shall be allowed. 4. Jac. 6.

1 What Subsidie or custome shall be payd for Leather transported. S. Customs 8, 9.

2 For the Shipping and Transporting of certaine Leather. See Merchants 4.

Limitation of prescription.

Writ of right.

Any person or persons shall sue, haue or maintaine any writ of right, or make any prescription, title, or claime, to or for any manors, lands, tenements, rents, annuities, commons, pensions, portions, corodies, or other hereditaments, of the possession of his or their auncestors or predecessors, and declare and alleadge any further seisin or possession of his or their auncestors or predecessors, but onely of the seisin or possession of his auncestors or predecessors, which hath bin, or now is, or shall be seized of the said manors, lands, &c. or other hereditaments, within sixtie yeares next before the Teste of the same writ, or next before the said prescription, title or claime, so sued, commenced, brought, made, or had. 32. H. 8. 2.

60. yeares.

Actions possessorie.

2 No person or persons, shall sue, haue, or maintaine, any Assise of Mordant, Cofinage, Aiel, writ of Entre upon Disseisin, done to any of his auncestors or predecessors, or any other action possessorie upon the possession of any of his auncestors or predecessors, for any manors, lands, tenements, or other hereditaments, of any further seisin or possession of his or their auncestors or predecessors, but onely of the seisin or possession of his or their auncestors or predecessors, which was, or hereafter shall be seized of the same manors, lands, tenements, or other hereditaments

tenements within fiftie yerres next befoze the Telle of the originall of the same writ to be brought &c. 32.H.8.2. 50.yerres.

3 No person or persons shall sue, haue, or maintaine, any action for any manors, lands, tenements, or other hereditaments, of, or upon his or their owne seisin or possession therein, aboute xxx. yerres next befoze the Telle of the originall of the same writ to be brought &c. 32.H.8.2. His owne seisin. 30.yerres.

4 No person nor persons shall make any auowzie or cognisance, for any rent, suit, or seruice, and alleadge any seisin of any rent, suit, or seruice in the same auowzie, or cognisance, in the possession of his or their auncellors, or predecessors or predecessors, or in his owne possession, or in the possession of any other whose estate he shall pretend or claime to haue, aboute 50.yerres next befoze the making of the said auowzie or cognisance 32.H.8.2. Auowzie. 50.yerres.

5 All Formedons in reuerter, Formedons in remainder, and Scire facias upon fines of any manors, lands, tenements, or other hereditaments, shall be sued and taken within fiftie yerres next after the title and cause of action fallen, and at no time after the said fiftie yerres passed. 32.H.8.2. Formedon. 50.yerres.

6 If any person or persons at any time doe sue any of the said actions or writs, for any manors, lands, tenements, or other hereditaments, or make any auowzie, cognisance, prescription, title, or claime, of, or for any rent, suit, seruice, or other hereditaments, and cannot proue that he or they, or his or their auncellors or predecessors, were in actuall possession or seisin, of & in the same manors, lands, tenements, or hereditaments &c. at any time within the yerres befoze limited in this Act, and in manner and forme as is aforesaid, if the same be trauesed or denied by the partie plaintife, demandant, or auowant, or by the partie tenant or defendant: Then and after such triall therein had, all and euery such person and persons, and their heires, shall from henceforth be utterly barred for euer, of all and euery the said writs, actions, auowzies, cognisance, prescription, title and claime hereafter to be sued, had, or made, of, and for the same manors, lands, &c. or other the premises, or any part of the same, for the which the same action, writ, auowzy, cognisance, prescription, title, or claime, shall be at any time sued or made. But if any false verdict happen to be giuen or made in any of the said actions, suits, auowzies, prescriptions, titles, or claimes, When the partie grieved by reason of the same, shall and may haue his Attaint upon euery such verdict so giuen or made, and the plaintife in the same Attaint, upon iudgement for him giuen, shall haue his recouerie, execution, and other aduantage in like manner and forme, as heretofore hath bin vsed and accustomed: anything &c. notwithstanding. 32.H.8.2. Barre for default of seisin within the time of limitation. Attaint upon false verdict.

7 But the former act made Anno 32.Hen.8. or any matter therein contained, shall not extend to any writ of Right of aduowson, Quare impedit, or Assise of Darrein presentment, nor lre patronatus, nor to any writ of Right of ward, writ of rauishment of ward, for the wardship of the bodie, or for the wardship of the lands, tenements or hereditaments, holden by knights seruice, nor to the seiso of the wardship of the bodie of any ward or wards, nor to the seiso of wardship of any lands &c. holden by knights seruice: But euery person and persons, bodie politique and corporat, their heires and successors, shall and may haue and pursue all and singular the said writs of Right of aduowson, Quare impedit, Assise of Darrein presentment, lre patronatus, writs of Right of ward, rauishment of ward, & also seise the wardship both of the bodie and of the lands &c. holden by knights seruice, in like maner to all intents, as they or any of them should or might haue done befoze the making of the said act made 32.H.8. Anno 1.M.5. Right of aduowson. Assise of Darrein present. Ward.

Linnen Cloth. Liuerie and Ouster le maine.

Linnen Cloth.

**The contents
of Douglas
& Lockram.**

IF anie person English or Stranger, Denizen or Alien, doth put to sale anie whole peece, or halfe peece of Linnen Cloth called Douglas or Lockram, vntlesse there be mention expessed vpon euerie of the said whole peece, or halfe peece so put to sale, the whole number of the yards or elnes that is contained in the said whole peece, or halfe peece, he shall forf. the said whole peece, or halfe peece, to the K. and him that will seize and sue for the same by A. J. or otherwise, wherein no *Wt. &c.* C. *cc.* 8. H. 8. 4.

**Stretching
or impairing
of Linnen
Cloth.**

2 If any person do wittingly cast or cause to be cast, any peece of Linnen cloth ouer a beame or peece of timber, and doth by any deuise, racke, stretch, and drawe the same of length and breadth, & then doth with battledoies, peeces of timber and wood, beat the same, and cast thereupon any deceitfull liquors mingled with chalker or other like things, or doth wittingly vse, or cause to be vse, any other act or mean to, in, or with any kind of linnen cloth, whereby the same shal be deceitful or woyle, to and for the good vse thereof: then he shal forfeit his said cloth to the R. and J. and suffer one moneths imprisonment at the least, and pay such fine as shall be assessed by the Iustices, befoze whom he shalbe condemned. 1. E. 1. 2. S. Iust. of P. 61.

Liuerie and Ouster le maine.

**The K. shall
haue primer
seisin.**

The K. shal haue primer seisin after the death of those which hold of him in chief, of all the lands and tenements whereof they were seized in their demeane as of fee, of what age soeuer their heires be, by taking the issues of the same land, vntil inquisition be made, as the custome is, and that he hath receiued the homage of such heires. Prerog. Reg. 17. E. 2. 3. Marlb. 5. 2. H. 3. 16.

**An heire en-
tring into
lands holden
of the K. with-
out Liuerie.**

2 When any person which holdeth of the K. in Capite doth die, and his heire doth enter into the land that his auncestoz held of the K. the day of his death befoze he hath done homage to his grace, and receiued of him seisin, he shall thereby gaine no freehold, and if he die seized during the time, his wife shall not be endowd of the same land. But this is not meant of socage and small tenures. Prerog. Reg. 17. Ed. 2. 13.

**The heire of
full age found
within age.**

3 If it be found for the K. &c. that the heire or heirs of his tenant or tenants is or be within age, where indeed such heire or heirs is or shall be at the same time of full age, or of moze or greater age then is contained within such office: In euery such case such heire or heires shall and may at his or their very full age or after, prosecute a writ of *Estate probanda*, and sue his or their Liuerie or Ouster le maine, as his or their case shall lie, and haue the profits of his or their lands, &c. from that time of his or their very full age: any such vnttrue office, or any law or custome notwithstanding. 2. E. 6. 8.

**Liueries be
in the order of
the Court of
wards.**

4 All liueries to be sued out of the K. hands, his heires and successors of anie lands, tenements, rents, reuerfions, remainders, or other hereditaments whatsoeuer, shall be in the order, suruey, and gouernance of the Court of Wards and Liueries, and the ministers of the same. And the Master, Surueyoz, Attorney, and generall Receiuer of the said Court, or thzee of them (whereof the Master or Surueyoz to be one) shall haue authoritie after offices and inquisitions found, to covenant and indent with euerie person for his Liuerie of the lands, tenements, and hereditaments, comprised or not comprised in such offices, and to set, and rate the price for the same, and to appoint the daies of payment thereof, by Obligation or obligations taken for the same to the King, which Obligations so made, and enery of them, shall be good and effectual in law, and of like strength, as writings obligato-

obligatorie made by any lay person, by authoritie of the statute of the Staple, been or ought to be. And all and singular bills for any speciall or generall livirie to be sued, assigned by the hands of the said Passer, Surveior, Attorney, Receiver, or three of them, whereof the Passer or Surveior to be one, shall be a good and sufficient warrant to the Chauncelour of England, and of the Duchie of Lancaster, and all other Chauncelours and Officers, having power to passe liviries under any of the R. Seales, for the making out, sealing and delivrie of any liviries, according to the purport and effect of such bills, with other clauses of course necessarie for the same. 33. H. 8. 22.

Warrants to
passe liviries.

5 No person having lands or tenements above the yearely value of b. l. shall have or sue any Livirie before office found before the Escheator or other Commissioner &c. by vertue of the Kings writt or Commission &c. directed out of the Chauncerie, or any other Courts &c. which writts or commission shall not passe out of the Chauncerie, or any other Courts having authoritie to make such writts or commissions, but by a warrant or bill assigned and subscribed with the hands and names of the Passer, Surveior, Attorney, and Receiver of the Court of Wards and Liviries, or three, two, or one of them, to be directed and delivered to the Chauncelour of England, or to any other Chauncelour or officer, having power to award such writts. 33. H. 8. 22.

No livirie of
lands to the
yearely value
of b. l. before
office.

Warrants for
writts to find
offices.

6 But every heire which is not in case to sue livirie, where his lands and tenements exceed not the yearely value of b. l. shall lawfully sue forth his generall livirie by warrant made from the Court of Wards and Liviries, although there be no other inquisition thereof had nor certified, and shall pay the fees of every such liviry as be hereafter expressed for the fees of a generall livirie, not exceeding the yearely value of b. l. as though the same livirie were made and sued forth upon an office found by vertue of the R. writt. 33. H. 8. 22.

Generall livi-
rie without
inquisition.

7 Every person may sue at his pleasure a generall livirie after office thereof by writt or commission found, returned and certified for any manors, lands, tenements, rents, reversiones, remainders, or other hereditaments, whereof the cleere yearely value doth not exceed xx. l. the value of which lands &c. shall bee taken as is limited in the Offices found thereof (except by the examination and certificat of the said Passer, Surveior, Attorney, and Receiver General, or three of them, it shall otherwise appeare, and be declared in any of the Kings Courts.) But no such livirie shall be sued or passe, without a bill or warrant first obtained for the same from the said Passer, Surveior, Attorney, or Receiver, and signed and subscribed with the names and hands of them, or three of them, as is aforesaid. 33. H. 8. 22.

A generall li-
virie of lands
not exceeding
xx. l.

8 If the lands, tenements, or hereditaments, whereof a generall livirie may be sued by this Act, exceed the cleere yearely value of b. l. then such as shall sue, and have such generall Livirie, shall pay for the seale thereof twentie shillings foure pence, and all other such fees as heretofore in such cases have bin accustomed upon the suing of any generall Liviries. And if the lands, tenements &c. whereof any such generall Livirie shall be sued, exceed not the cleere value of b. l. then every person suing for any generall Livirie, shall pay for the seale of every such Liviry viij. s. and to the Clerkes of the petit bagge for the writing and euolling thereof xx. s. and for respice of Homage in the Exchequer viij. s. and to the Lord Great Chamber-leine xx. s. and to the Clerke of the Liviries for the warrant and enrolling of the livirie twentie pence, and to the Passer of the Rolls xx. pence, and none other fees. 33. H. 8. 22.

The fees of a
generall liviry

9 Every person to whom the King shall grant any Livirie, to be sued upon his bill assigned thereof with the Kings hand, or with the hands of the Officers of his Court of Wards and Liviries, shall sue forth his patent within three moneths

within what
time a livirie
shall be sued
forth.

next

Liuerie and Ouster le maine.

next after the assignement of the said bill, or else the same bill and the effect thereof shall be void. 33.H.8.22.

Liueries shall be inrolled.

10 *Cherie Ward* having his liuerie, shall within six moneths next after the liuerie had, bying the same to the Auditoz of the Court of *Wards* &c. or to one of them, to have the same there inrolled for the discharge of the lands against the *W.* according to the tenor of the said liuerie, and shall pay for the inrolment thereof such reasonable summe of money, as shall be appointed by the *Spallier* of the *Wards* &c. so that it exceed not *1. s. 32. H. 8. 46.*

Where the owner shall have his lands with the issues.

Amoucas manum cum exitibus.

11 If the *Escheatoz* or *Whirfe* do seize any lands into the Kings hands, where there is no cause of seizure, and after the same lands be delivered out of the Kings hands for the same cause, the issues also shall be fully restored to him who hath the land, and which hath sustained the loss. *Artic. super Chartas 28. Ed. 1. 19.*

12 If by *Enquests* taken by *Escheatoz* by any *Writs* sued out of the *Chancery*, and returned, if it be found, that nothing is holden of the King, whereby he ought to have the *Ward* of such lands, by reason of the *Enquests* taken by his *Escheatoz*, immediately the *Escheatoz* shall be commanded by the Kings *Writ*, directed out of the *Chancery*, to deliver their hands, and put from them all the lands and tenements so seized, into the Kings possession. And if they have taken any profits of such lands &c. they shall make full restitution to him or them to whom it was found by *Enquests*, that such lands ought to remaine from the time that such lands fell into the Kings hands. But if, after the *Escheatoz* have discharged their hands by force of the Kings *Writ*, any thing happen to be found in the *Chancery*, *Exchequer*, or any other of the Kings Courts, whereby the *Wardship* of such lands, whereof the *Escheatoz* have discharged their hands, should belong unto the King, immediately he, in whose hands such lands shall happen to be, shall be summoned to be before the King at a certaine day whereforever &c. to shew if he can say any thing, wherefore the King ought not to have the *Wardship* of such lands, according to the forme of the *Evidences* or *Remembrances* found for him. And if hee come in and shew why the *Ward* of such lands doth not or ought not belong unto the King, but that it ought to remaine to himselfe, he shall goe quite, and retaine to the *Wardship*: But if the partie warned do not come, or doth come and can say nothing, why the King should not have the *Wardship*, immediately the lands shall be resealed into the Kings hands by reason of *Wardship*, to be kept untill the full age of the heire of the same. And if it be found by the *Enquests* taken by the *Escheatoz* and returned, that the custodie of the same lands contained in the *Inquisitions*, and seized into the Kings hands, ought not to remaine unto the King, the *Escheatoz* shall be commanded forthwith to discharge his hands thereof, and to restore the whole issues. And in like sort, if it be found by evidence and remembrances in the *Chancery*, *Exchequer*, or otherwise, that the King ought to have the custodie of them, his *Waiellie* shall be answered the whole issues thereof at their hands, which held the same lands from the time they were first taken into the Kings hands by the *Escheatoz* by the foresaid *Writs*. 29. Edw. 1. Stat. de *Escheatoribus*.

Releifer.

Meane rates.

13 If an *Escheatoz* or other *Spinisser* hath seized to the Kings use any *Cities*, *Boroughes*, *Townes*, *Manors*, *Hundredes*, *Franchises*, *Mills*, *Herbage*, *Toll*, *Plees*, and *Perquisites* of Courts, or other lands, or tenements, whereof profit riseth from time to time through the yeare, and after hath made *Liuerie* thereof to the heire by the Kings commandement out of the *Chancery*, before the terme of payment be come, yet he shall be charged to answer the King for the rate and portion of the time, according to the auncient course of the *Exchequer*. Unto aun-
cient farmes and rents which be to be paid at certaine termes, as *Kent secke*, and *Kent service*, wherof no profit riseth untill the day of payment, shall be payed to them

them which have livery out of the Kings hands, at the day of payment of the same farmes and rents which doe ensue such livery. 28. Edw. 3. 4. S. Escheators, Office, Trauerse, Wards.

Liveries and Retainers.

1 If any person shall give any Chaperons, Hats, or such like Liveries to any man, for maintenance of quarrels, or other confederacies, he shall forfeit C.s. for every such livery: And he which receiveth such livery, shall forfeit xl. s. 1. R. 2. 7. 7. H. 4. 14 13. H. 4. 3. 8. H. 6. 4. 8. E. 4. 2.

Giving of Liveries for maintenance.

2 If any person of his owne authoritie and proper costs, doe buy or weare for his clothing any Clothes, or Hattes, called Liveries, of the sort or suit of any Lord, Ladie, Knight, Esquire, or other person, to have supportation, succour, or maintenance in any quarrell, or in any other manner, and be thereof lawfully convicted, hee shall forfeit forty shillings, and be one yeare imprisoned. 8. Hen. 6. 4. 8. Ed. 4. 2.

Wearing of Liveries for maintenance.

3 If any which is a Knight or Esquire mentall of the Kings, or which is of his retinue, to whom his Majestie shall give his honourable Livery, do weare his said Livery in the Country or Countie, where he is resident or dwelling, or in any other place of the Realme out of the Kings presence (saving in going or coming from the Kings house) and is thereof duly attainted, he shall loose his livery, and forfeit his fees for ever. 1. H. 4. 7.

Wearing the Kings Livery.

4 No congregation or companie shall make any Livery of Cloth, or Hats, at their owne costs, upon paine that everie one of the same congregation or companie shall forfeit forty shillings (except Guildes and Fraternities, and also people of Arts and Sciences, within Cities and Boroughs, which be ordained to a good intent.) 7. H. 4. 14.

Companies.

5 No person by himselfe, or any other for him, shall give any livery or badge, or retaine any person other then his mentall servant, officer, or learned man in the one law, or in the other, by any writing, othe, or promise, and if any doe the contrary, he shall forfeit for everie such livery or badge given C.s. And he which doth retaine or take of another such othe, writing, or promise, or is retained by Indenture, shall forfeit C.s. for everie moneth that any person is so retained with him by othe, writing, Indenture, or promise. And everie person which is retained by writing, Indenture, othe, or promise, for everie moneth that he is so retained, shall forfeit C.s. to the K. and J. And everie person that will sue against any other for any offence committed contrarie to this Statute, or any other of the premises before the K. Justices in his Bench, before the Just. of the Common Pleas, Justices of peace in their Sessions, Just. of Oyer and Terminer, and Gaole delivorie, Just. of the Countie Palantine of Lancaster and Chester, and in the Court of Berhamshire, and in the court of the Bishop of Durham in the Countie Palantine of Durham, shall be admitted thereunto by the discretion of the said Judges, to give information for the King of any of the premises, committed within the jurisdiction of the same Courts. And every Informer shall be admitted to sue for the K. and himselfe, action or actions upon the same by information in any of the said Courts, against as many such offenders in one Bill of information, as liketh him, which information shall be in stead of a Bill or Originall Writ, wherein such proces shall be awarded, as in an Originall writ of Trespasse against the peace (but that in the Countie Palantine of Lancaster and Chester, nor in Duresme, no erigent shall be awarded upon any Information, Suit, or Processe, to be made by force of this Ordinance, and if any be, or any Outlawrie thereupon pronounced, the same shall be void without any writ of Error.) And if any of the offenders be present in any of

Giving or taking of Liveries or badges and retaining.

In what courts the Informer may prosecute his suit.

Liveries and Retainers.

of the said Courts, any of the Iustices may command him to be brought to answer to such bill, upon such information (by an oath first to be taken upon a booke by such Informer, before some one of the Iudges, that his complaint is true) without anie other or further proces therein. And euery of the same Iudges within his iurisdiction, may by his discretion examine euery of the defendants upon such information, and iudge him conuict, as well by examination as by trial. And the R. shal haue the one halfe of the forfeiture (if it be not in a Citie or Towne corporate, that hath the same by the Kings &c. graunt) and the Informer the other halfe, which also shal recover his costs by the Iudges discretion, and execution thereof, as in recoveries upon debt, or trespassse, whereto no C. P. &c. 8. E. 4. 2.

At what time and by whom giuing of Liveries is lawfull.

6 But this Act extendeth not to any gift, graunt, or confirmation made of anie Fee, Annuittie, Pension, Rent, Lands or Tenements, by the King, or any others, to any other person or persons for their counsell giuen, or to be giuen, or for their lawfull seruice done, or to be done (and for no other vnlawfull cause or vnlawfull intent) although the person to whom such gift, graunt, or confirmation is made, be not learned in the one Law, or other. Neither doth it extend to anie Livery giuen at the Kings or Quenes Coronation, or at the instalment of any Archbishop or Bishop, or erection, creation, or mariage of anie Lord or Ladie of Estate, or at any creation of any Knight of the Bathe, or at the commencement of any Clerke in any Vniuersitie, or at the creation of Seruants of the law, or giuen by anie Fraternitie, Guild, or Mysterie Corporat, or by the Payor, Sherife, or other chiefe officer of anie Citie, Borough, Towne, or Port of this Realme of England, for the time being, during that time, for the executing of their office or occupation: For to any liveries or badges giuen in the defence of the King, and of this Realme: For to the Constable or Marshall, for giuing any Badge, Livery, or token, for any feats of Armes to be done within this Realme: For to any Wardens of the Marches towards Scotland, for any Livery, Badge, or token by them giuen from Trent Northward, at such time only as shall be necessarie to leuie people for the defence of the Marches. 1. H. 4. 7. 8. E. 4. 2.

The R. officers shall not be retained with others, nor shall retain his tenants.

7 If any Steward, Auditor, Receiver, or Bailife, of any of the Kings Honours, Lordships, Manors, Lands, and Tenements, Constable, or keeper of anie of his Castles, Warden, Master of Game, Parke keeper, or any other Officer of any of his said Forrests, Chases, Parks, or Warrens, shall be vnlawfully retained with any person, or retaine any man dwelling within any of the said Honours, Lordships, Manors, Lands, and Tenements, contrarie to any Act, or ordinance before this time made: Or suffer any man dwelling within the same Honours, Lordships, &c. to be vnlawfully retained with any other man or person, what degree or condition soeuer he be of, and shew it not to the King within fortie dayes next after hee haue knowledge thereof, and how, and with whom he is so retained: Or if anie of the said Officers conuey any of the said tenants, inhabitants, or farmors to the R. to any field, assembly, or rout, otherwise then by the Kings commandement, to doe him such seruice as he shal be commanded, and that alway in the Kings Livery and signe, with a cognisance of him which so conueyeth them by the R. commandement: Or if such Officer come not to the R. in the time of trouble, or war, when he thereunto shall be commanded, hauing no reasonable excuse to the contrary, All graunts then made or had to him, of anie of the said Offices by the King, or by any of the Kings Progenitoys, or Predecessors, shall be utterly voyde, and of none effect. 3. H. 7. 12.

The R. Officers at his commandment.

The R. tenants shall not be retained with any other.

8 If any Farmor or Tenant within any of the same Honours, Lordships, Manors, Lands, and Tenements, be retained with anie person or persons, contrarie to the Statutes, by livery, signe, token, or oath, indenture of promise, or to goe to any field, gathering, or assembly, in any mans livery, signe, or token, but onely in the

the liuerie or signe, and to serue him onely, and where he shall be commaunded by the King, All graunts and leases to him made for terme of yeares, or at will, of lands, tenements, rents, or other possessions, being parcell of any the said Honors, Lordships, Barons, Lands, and Tenements, shall be then utterly void, and of none effect. 3. H. 8. 12.

It appeareth by one Proclamation of the iij. day of Ianuarie, Anno 14. Eliz. And by one other of the xix. of Aprill, Anno 25. of her raigne, made against Retainers, That her Graces pleasure is, that the foresaid stat. of 3. H. 7. amongst other statutes provided against vnlawfull Retainers, should be duely obserued and executed. But conferre this stat. of 3. H. 7. with the statutes made 11. H. 7. 18. & 19. H. 7. 1. which were provided to auoid the like inconueniencies that this was, and penned in such manner as this is: And then, whether this Stat. was provided to be perpetuall, or made only to continue during the life of K. H. 7. as generally men do thinke the other two statutes were. Q. Vide Dier fol. 211.

1 What issues shall be returned vpon any person in an Information sued vpon the statute made against giuing of Liueries. S. Returne of Sherifes 10.

London.

Every person and persons whatsoeuer, being free of the City of London, which now hath, or hereafter shall haue any debt or debts owing vnto him, or them, not amounting to xl. s. by any debtoz or debtozs inhabiting in London, or within the Liberties thereof, shall or may cause such debtoz or debtozs to be warned or summoned by the Beadle or Officer of the Court of Requests for the time being, to appeare before the Commissioners of the said Court, holden in the Guild Hall of the said Citie. And the Commissioners, or the greater part of them shall from time to time set downe such order or orders, betweene such partie or parties plaintife, and his or their such debtoz or debtozs defendants, touching such debts, not exceeding the value of xl. s. in question before them, as they shall find to stand with equitie and good conscience. All such their order or orders to be registred in a booke, as they haue bin accustomed, and aswel the partie plaintif, as the debtoz, or defendant, to obserue and keepe the same in all points. 1. Jac. 14.

2 If any such Defendant or Debtoz shall, after warning giuen him, her, or them by the said Officer of the said Court for the time being, refuse, or neglect to make his apparance in the said court of Requests, before the Commissioners for the time being, at the time appointed: Or if any party, plaintife, or defendant, shall not performe such order as the said Commissioners shall set downe, then it shall be lawfull for the said Officer of the said court, or any of the Serieants at Place of the said Citie, by order of the Commissioners of the said Court for the time being, or of the greater part of them, to commit such partie or parties to prison into one of the Counters of the said Citie, there to remaine, vntill he or they shall performe the order of the said Commissioners, or of the moze part of them, in that behalfe made. 1. Jac. 14.

3 If any person or persons whatsoeuer, being free of London, and there inhabiting, shall hereafter for any debt, not amounting to xl. s. sue any person or persons whatsoeuer, being Citizen or Freeman of London, dwelling within the said City, or the Liberties thereof, in any of the R. courts at Westm. or elsewhere out of the said citie, euerie such defendant shall be free from paying to the plaintife the cosses and charges due to him for the said suit. And the same plaintife shall pay so much ordinarie cosses to the partie defendant, as such defendant shall iustly pzone before the

Orders betwene the creditozs and debtozs in London.

Not appearing before Commissioners or not performing their orders.

A Londoner suing for xl. s. out of the citie

Merchants and Merchandizes. Mainprife &c.

Refusing to
performe the
Commissioners
orders.

the Commissioners in the said Court, or the greater part of them, it hath truly cost him in defence of the said suit. And if such person and persons plaintife, shall after warning giuen him or them, or to his or their Attorney or Attorneyes in the said suit, by the said Officer of the Court of Requests, refuse to appeare in the said court befoze the said Commissioners, being thereunto warned by the Officer of the Court, or to satisfie the defendant so much as shall be proued befoze the said Commissioners, and by them assessed, as abovesaid: Or if the said plaintife or defendant shall not performe such order, as the said Commissioners, or the moze part of them, shall set downe for his or their debts, or other controuerfies, not exceeding xl.s. Then it shalbe lawfull for the said Officer of the said Court, or any other of the sericants at Place of the said city, by order of the said Commissioners, or the greater part of them, to commit such partie or parties to prison, into one of the Counters of the said citie, there to remaine, vntill he or they shal performe the order of the commissioners in that behalfe. 1. Iac. 14.

Debt for rent.

Testaments.
Matrimonie.

4 But this act shall not extend to any debt for any rent, vpon any lease of lands or tenements, or other reall contract, nor to any other debt that shall arise by reason of any cause concerning testaments or matrimonie, or any thing concerning or properly belonging to the Ecclesiasticall Court, albeit the same shalbe vnder xl.s. Any thing befoze contained to the contrary notwithstanding. 1. Iac. 14.

Mainprife and Baile.

Who are not
mainpernable.

NO prisoner shall be let to Mainprife, which befoze was outlawed: For hee which hath abinred: For any approuer: For he which is taken with the manner: For he which hath broken the kings prison: For a theefe openly defamed, and knowne: For he which is appealed by an approuer, so long as the approuer doth liue, except he be of good name: For he which is taken for burning of a house feloniously done, or for false money, or for counterfeiting the kings Seale: For any excommunicat person, taken at the Bishops request: For hee which is taken for a manifest offence, or for treason touching the king. West. 1. 3. Ed. 1. 15. And by the same statute it doth appeare, that he which was taken for the death of a man by the kings commandement, or his Just. or for the fozeff, was not repleuifable by the common law.

Where main-
prife is allow-
able.

2 But such as be indicted of Larceny by enquests taken befoze Sherifs or Bailifes by their Office, or of light suspition, or for petit Larcenie, that amounteth not aboue the value of xij. d. if they were not guiltie of some Larcenie befoze, or guiltie of receit of theefes or felons, or of commandement of force, or of aid in felonie done, or guiltie of some other trespassse, for which one ought not to lose life, or member, And a man appealed of an approuer, after the death of the approuer, if hee be no common theefe, nor defamed, shalbe let out by sufficient suretie, whereof the Sherife will be answerable, and that without giuing any part of their good. W. 1. 3. E. 1. 15.

Bailment by
the Sherife of
one not baile-
able.

3 If the Sherife or any other let one go at large by suretie, which is not repleuifable, if he be Sherife, Constable, or any other Bailife of fee, which hath the keeping of prisoners, and is thereof attainted, he shall lose his fee and office for ever: and if the Underherif, Constable, or Bailife of such as haue fee for keeping of prisoners, do it contrarie to the will of his master, or any other Bailife, being not of fee, they shal haue three yeares imprisonment, and make fine at the kings pleasure. W. 1. 3. E. 1. 15.

Bailment by
Justices of
one not baile-
able.

4 If any Justices of peace doe let to baile or mainprife any person, which for any offence by him committed, is declared not to be repleuifable or bailable, or for-
bidden

bidden to be repleuisable by the foresaid Statute of 3. E. 1. the said Justices so offending, shall pay such fines, as the Justices of Gaole Delinerie of the Shire, Citie, or Towne where the offence shall be committed (upon due p^{ro}ve thereof by examination befoze them) shall asseſſe: But the Justices of Peace, and Coroners within London and Middleſere, and in all other Cities, Boroughes, and Townes Corporat within this Realme and Wales, have authoritie to let to baile felons and prisoners, as they have bin heretofore accustomed. 1. & 2. Ph. & Ma. 13. And in like sort shall Sherifes, or any other be punished by the Justices of Gaole Delinerie, according to the forme of the said Stat. of 3. Ed. 1. which do let to baile or mainprise any persons forbidden to be repleuised by the said Statute. Statutum de finibus &c. 27. E. 1.

5 The Marshals of the kings Bench shall not baile any Felons, but shall keepe them in prison, and shall not suffer them to goe wandring abroad, by baile, nor without baile. And if any such prisoner be found wandring out of prison, by baile, or without baile, and that be p^{ro}ved at the kings suit, or the parties: The Marshals which shall be found guilty thereof, shall have halfe a yeares imprisonment, and be ransomed at the kings pleasure. And if the Marshals suffer the prisoner to escape by their assent, they shall bee at the Law, as befoze time they have bin. 5. Ed. 3. 8.

6 Whosoever doth withhold prisoners repleuisable after they have offered sufficient suretie, shall pay a grievous americiament to the king, & he that doth take any reward for the delivrance of such, shall pay double to the prisoner, & also a grievous americiament to the king. W. 1. 3. E. 1. 15.

1 For the bailement of prisoners by Justices of peace, taking and certifying their examinations, and binding others to giue evidence against them. S. Justices of peace 107.

withholding
of prisoners
repleuisable,
or taking of
reward to de-
liver them.

2 Who may be let to baile or mainprife by any sherife, & who not. S. Sherifes 8.

3 Where he shall be let to mainprife which is indicted of murder at the K. suit, and acquitted. S. Murder 3.

4 Every sherife in Wales may put suspected persons vnder common mainprife, and what fee he shall take for the same. S. Wales 46. 47.

5 They which be taken for Redisseisin be not repleuisable by a common writ. S. Redisseisin 3.

Maintenance, Champertie, Embracerie, and
buying of titles.

If any of the Kings Councelloz, Officers, or Seruants, or any other person whatsoever, by sending of letters, or otherwise doe take or sustaine any quarrell, by maintenance, in the countrie or elsewhere, they shall bee grievously punished in some ensuing, that is, The said Councelloz and the great Officers, shall incur such paine, as shall be asseſſed by the K. Maieſtie, by the aduice of the Lords of the realme, And other like officers, and seruants of the K. in the Erchequer and other Courts, and his ordinarie household, shall lose their offices and services, be imprisoned, and also pay a fine at the K. pleasure after euerie of their degrees, estates, and deserts, And all other persons shall be imprisoned, and pay fines at the kings pleasure. 1. E. 3. 14. 1. R. 2. 5.

Maintenance
by the Kings
Officers.

2 If any clerke of the kings, or of any Justice, doe receiue the presentment of any church, for the which any p^{le}e or debate is in the Kings Court, without the kings speciall licence, hee shall lose the church and his service. And if any Justice or Sherifes Clerke, take part in any quarrell or matter depending in the kings Court, or doe wo^rke any fraud, whereby common right may be delayed, or disturbed,

Clerkes ta-
king present-
ment, or part
in quarrels.

Maintenance, Champertie, Embracerie, &c.

bed, he shall lose his service, and bee further punished if the trespassse do require. West. 1. 3. E. 1. 28.

**Maintenance
in inquirie of
Riots.**

3 If any Riot, Rout, or unlawfull assemblee bee committed, and the Justices of Peace, or two of them doe thereof make inquirie, according to the Statute, for that cause provided. 13. H. 4. and the said Riot &c. is not found by the Jurie, by reason of any embracerie or maintenance of the said Riots, then every person duly proved to be a maintainer or embracer of the same, shall forfeit to the king xx. l. and bee committed to ward, there to remaine by discretion of the said Justices. 19. H. 7. 13. S. Riots 15.

**Maintenance
of suits.**

4 No person or persons whatsoever shall unlawfully maintaine, or cause, or procure any unlawfull maintenance in any action, suit, demand, or complaint in any of the kings Courts of the Chaucerie, Starre Chamber, White Hall, or elsewhere within any of the kings Dominions of England, or Wales, or the Marches of the same, where any person or persons have authoritie by vertue of the kings Commission, Patent, or Writ, to hold plee of land, or examine, heare, or determine, any title of lands, or any matter of witnesse concerning the title, right, or interest of any lands, tenements, or hereditaments, who shall unlawfully maintaine for maintenance of any Suit, or Plee, any person or persons, or embrace any freeholders or Jurors, or suborne any witnesses by letters, rewards, promise, or by any other sinister labour or meanes, for to maintaine any matter or cause, or to the disturbance or hinderance of Justice, or to the procurement or occasion of any manner of perjurie, by false verdict, or otherwise, in any of the Courts aforesaid, upon paine of forfeiture for every such offence ten pounds to the king and 3. l. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. if the suit bee commenced in any of the Kings Courts, within one yeare next after any such offence committed, or else not. 32. H. 8. 9. S. Perjurie 1. &c.

**Embrace
Jurors.
Suborne
witnesses.**

Champertie.

5 No Officer of the kings, nor other person whatsoever, shall take upon him to maintaine any matter depending in suit, to have part of the thing in plee, or other profit, Westminster. 1. 3. Edw. 1. 25. Neither shall any person upon such consideration, or covenant, depart with his right to another, and if any do, and thereof be attainted, the taker shall forfeit to the king so much of his land and goods as the value of the thing in such suit taken for maintenance doth amount unto. And whosoever wil, shall be received to sue for the king before the same Justices, before whom the suit was depending, and by them the iudgement shall be given: but a man may take the counsell of those that be pleaders of the law, and learned men for his self, or of his next friends. West. 2. 13. Ed. 1. 49. 28. Ed. 1. 11. And if any person do take upon him for maintenance, champerty, or the like bargain, any manner of suit or plee, against another, and is attainted of such assumption, suit, or bargain, or of consent thereto, he shall be three yeares imprisoned and further punished at the kings pleasure. 33. Ed. 1.

**The punish-
ment of champ-
perties.**

Champertors

Embracers.

6 Champertors be they that move plees and suits, or cause to bee moved, either by their owne or others procurement, and sue them at their owne costs, to have part of the lands or gaires in variance. 33. Ed. 1. An Embracer is hee which cometh to the barre with the partie, and speaketh in the matter, and is there to suruey the Jurie.

**Buying of
titles.**

7 No person or persons shall bargain, buy or sell, or by any means obtaine, get, or have any pretended rights or titles, or take promise, graunt, or covenant to have any right or title, of any person or persons, in or to any manors, lands, tenements, or other hereditaments, but if such person or persons which shall so bargain, give, grant, covenant, or promise the same, their aunccestors, or they by whom he or they claime the same, have bene in possession of the same, or of the reversion or remainder thereof, or taken the rents, or profits thereof, by the space of one whole yeare next

next befoze the said bargaine, covenant, grant, or promise made, upon paine that he that shall make any such bargaine, sale, promise, covenant, or grant, shall forfeit the whole value of the lands, tenements, or hereditaments so bargained, sold, promised, covenanted, or granted, contrary to the forme of this act: And the buyer or taker thereof knowing the same, shall also forfeit the whole value of the said lands, &c. so by him bought or taken as is abovesaid, to the R. & J. to be recovered by A. J. &c. wher- in no W. C. P. J. &c. if the suit be commenced in any of the R. courts within one yere after the offence committed, or else not. 32.H.8.9.

8 But it is lawfull to any person being in lawfull poss. by taking of the yearly farmes, rents, or profits of any Mannors, Lands, Tenements, or Hereditaments, to buy, obtaine, get, or haue by any reasonable meanes the pretended right or title of any other person or persons to be made to, of, or in such lands, &c. wherof he shall so be in lawfull possession. 32.H.8.9.

Purchasing
of pretended
title.

9 The Just. of assise of every circuit within this realme, & elsewhere within the R. dominions, shall in every county within their circuits, two times in the yere, viz in the time of their sittings for taking of Assises, or deliuey of the Gaoles, cause open Proclamation to be made, aswel of this present act, and every thing therein contained, as also of all other statutes heretofore made against vnlawful maintenance, champertie, embracerie, or vnlawfull retainors, To the intent that no person hearing the same should bee ignorant or miscognisant of the damages, and penalties therein contained. 32.H.8.9.

Proclamation
on of the Stat.
of Maintenance,
&c.

- 1 For the punishment of Embraceors. S. Iurors 5. 6.
- 2 For giuing or receiuing of Liuries for maintenance. S. Liuries 7. 2.
- 3 Who may vse any actions, or pursue vpon the Stat. provided against maintenance, Champertie, Embracerie, &c. S. Actions popular 6.
- 4 The punishment of forcible entries by way of maintenance. S. Force 6.
- 5 The Iustices of both benches, Assise, and Nisi prius, shall heare and determine Maintenance, Champertie, &c. 4.E.3. 11. 20.E.3.6.

Merchants and Merchandises.

AL Merchants (vnlesse they were openly prohibited befoze) shall haue their safe and sure conduct to depart forth of England, and to come into England, and to farrie, and go thzough England, as well by land as by water, to buy or sell, without any manner of euill tols, according to the auncient and lawfull customes, hauing in time of warre. And if they be of a countrie in warre with vs, and be so proued in our Realme in the beginning of the warre, they shall bee attached without hurt of their bodie or goods, vntill it be knowne to vs, or our chiefe Justice, how the Merchants of our land be vsed in that countrie wherewith wee are in warre: And if our Merchants be well vsed there, theirs shall be so likewise with vs. Magna Charta 9.H. 3. 30. All Merchants, Strangers and Denizens, and all other that will buy or sell coyne, wines, Quer de pois, flesh, fish, and all other linings and victuall, wols, clothes, & all other things vendible, from whence soener they come. at what place soener it be, City, Bozough, Towne, Port of the Sea, Faire, Market, or else where within the Realme, within Franchise or without, may freely sell them to what person it shall please them, as well fozeines as denizens, in grosse, or retaile, or by parcels, at their wils, to all people that will buy the same (except to the enemies of the king and his Realme) notwithstanding the Charter, blage, custome, or iudgement. And if any disturbance bee done to any Merchant stranger or Denizen, or to any other for the sale of such things in any Citie, Bozough, Towne, Port of the Sea, or other place which hath franchise, and the Maiors and Bailifes, or other which haue the rule of such Franchise, being required by the said Merchants,

Merchants
shall haue safe
conducts.

Merchants
strangers
may buy and
sell within
this Realme,
without invec-
tion.

Merchants and Merchandizes.

chants, or other thereof to provide remedie, and doe not, and thereof be attainted, the franchise shalbe seised into the kings hands, and neuertheless, they which haue done this disturbance, shal restore to the said merchant his double damages which he hath thereby sustained. And if such disturbance or interruption bee done in such places or Townes where no Franchise is, and the Lord (if hee be present) or his Bailiffe, Constable, or other Rulers of the said townes and places (in the absence of the said Lord) being therein required to doe right, and do not, and thereof be attainted, they shal yeeld to the plaintife his double damages as aforesaid, and the disturbers, in the one case and in the other, aswell within the Franchises as without, if they bee attainted, shal haue one yeares imprisonment, and be ransomed at the kings pleasure. No Alien or Denizen, vpon the foresaid paine, shal be troubled, but he may freely buy such things aforesaid in the said places, & carrie them where it pleaseth him to his owne vse, or to the profit of the king, or the realme, saving that such Merchants Aliens shal carrie no wine out of the same Realme. But no Merchant stranger shal alien, sell at retaile, nor buy, nor make merchandize with, in the Realme with another strange Merchant Alien, to sell againe, nor no Merchant Alien shal sell to retaile within the same Realme, nor shall put to sale any manner of wares or merchandizes, except linings and victuals. And also all Aliens shal sell Wines by whole vessels, and Spicerie by whole vessels, and bales, and in no other manner. And no manner of Spicerie, after it is brought into the Realme, shal be carried out of the same by Alien or Denizen, vpon paine of forfeiture of the same. 9.Ed.3.1. 25.Ed.3.2. 11.R.2.7. 19.R.2.1.2. R.2.11.S. Aliens & Victuals 1.2.

One stranger
shal not mer-
chandize with
another.

Wines.

Spices.

No Scavage
shalbe paid for
Merchandize
customed.

2 If any Mayor, Sheriffe, Bailiffe, or other Officer in any Citie, Borough, or Towne, within this Realme, doe distraine, take, or leuie, any custome called Scavage or Shelwage of any Merchant Denizen, or of any other the kings subiects Denizens, for any merchandize, to the king before truly customed, that is brought by land or by water, to be vttered in any Citie, Borough, or Towne in this land: Or if any Mayor, Sheriffe, Bailiffe, or other Officer in any Citie, Borough, or Towne for non-payment of the said Scavage, let or disturbe any Merchants, or any other persons denizens, to sell and to vtter their merchandize by them brought into any Citie, Borough, or Towne, then he which offendeth shal forfeit for every offence xx.l. to the king, & the party grieved, or any other that will first sue by Action of debt in any shire, wherein no W.C.P. &c. But the Mayor, Sheriffes, & Commonalties of London, and euery of them, shal haue all such sums of money for Scavage, of euery person Denizens, as by right they ought. 19.H.7.8.

Merchandize
not lawfull to
be brought in
to this realme

3 No person shal bring, or cause to be brought into this realm of England, from any parts of beyond the seas, any girdles, harnesses for girdles, rapiers, daggers, knives, hilts, pummels, lockets, chapes, dagger-blades, handles, scabberds, and sheathes for knives, saddles, horse harnesses, stirrups, bits, gloues, points, leather laces, or pins being readie made, or wrought in any parts of beyond the seas, to be sold, bartered, or exchanged, within this realme of England or Wales, vpon paine to forfeit all such wares so brought contrarie to the true meaning of this Act, in whose hands soeuer they or any of them shalbe found, or the verie value thereof, to the King & him that wil seise the same, or sue therfore in any of the Kings courts of Record, by Act 3. where in no W.C.P. &c. 5.El.7. 1.La.25. to continue to the end of the first session of the next Parliament.

Shipping of
fells, skins,
leather.

4 If any person do ship or conuey, or cause to be shipped &c. in or to any ship, boat, or vessel, in or vpon the sea, or in or vpon any haven, creeke, riuer, or place within England or Wales, any manner of sheep skins, wolfsels, herelings, mozlings, or the skins of any stag, hind, buck, doe, goat, falcone, or kid, or the pelts of any of the, or the leather made of any of them (tawed leather made of sheep skins only excepted, 8.El.

14.) to the intent to transpoyt the same beyond the sea, there to be offered by way of merchandize, or otherwise, he shal for. al such skins or pelts, bought, laden, shipped or transpoyted, or the value of them, and also g. s. vi. d. for every fell, pelt, skin, &c. bought, laden, shipped, or transpoyted, to the M. and J. to be rec. by A. J. &c. wherein no C. P. Injunction, &c. But the Merchants of the Staple, the Merchants of New Castle upon Tyne, Hartilpole, and Berwicke, their servants, factors, and attornies, may transpoyt all such lawfull wares as heretofore they lawfully might haue done. 5. El. 22.

5 If shal not be lawfull to or for any person or persons whatsoeuer, to lade or put, or cause to be laden or put off or from any place on the land, into any ship or vessell, to be transpoyted into any fozeine region, or lay on land, or take, &c. out of any ship (being not in leake or wack) any goods brought from any parts out of the M. dominions, by way of merchandize (fish taken by the M. subjects & salt excepted) but only in the day light, viz. from the 1. day of March, untill the last of September, betwixt the sun rising & the sun setting: And from the last of Sept. untill the first of March, betwixt the houres of vi. in the morning, & iij. in the afternoon, and in and vpon some such open place, key, or wharfe, as the M. Maiestie hath, or shall appoint, or where a customer, comptroller, & searcher (whi only except) by the space of tenne yerres befoze the making of this Act (being 23. Jan. An. Do. 1559.) haue bin resident, vpon paine of for. of all such goods or merchandize so laden or discharged, contrarie to the true meaning of this Act, or the value thereof. 1. El. 11. 4. H. 4. 20.

6 If any Master, or other person taking charge of a Ship, Craier, or Vessell, do receiue into his ship, or lay on land out of his ship, any goods or merchandize (except befoze excepted) to be transpoyted ouer or brought in from any place out of the M. dominions, in any other place, or at any other houres, then is befoze limited, he shal forfeit for euery offence a hundred pounds to the M. and J. to be rec. &c. wherein no W. &c. C. P. &c. 1. El. 11.

7 No Master, Shipper, or other, taking charge of the boiage, shall receiue into his ship any goods (except befoze excepted) to be transpoyted out of the M. dominions, befoze he shal signifie to the Customer and Officer of the port where he ladeth, that he intendeth to lade, and into what place hee intendeth to passe: Nor shall after his lading depart out of the Port where he shall lade, befoze he doe signifie vnto the said officers of his lading, and what persons shall haue lading with him in his ship: And further doe truly answer to such questions as shall be ministred vnto him by the customer, or other officer, concerning the merchandize laden, being examined vpon his oath, or otherwise vpon paine to for. for euery default not truly aduertising, nor answering, C. P. to the M. and J. &c. wherein no W. &c. C. P. &c. 1. Eliz. 11.

8 If any person taking charge of a ship wherein any Merchandize (except befoze excepted) shall be brought from any parts out of the M. dominions, shal discharge into any Lighter, and lay on land, or procure or willingly suffer to be discharged or any goods befoze he shall haue declared to the Customer, or other Officer of the Port where he arriueth, the names of euery of the Merchants or laders, and shall haue truly answered to such questions concerning such merchandize as shall be to him ministred vpon his oath, or otherwise, by such Customer or Officer, hee shall forfeit for euery such default C. P. to the M. and J. wherein no W. &c. C. P. &c. 1. Eliz. 11.

9 Euery Merchant alien, and euery victualler, or other stranger not being Denizen, which shall resort into any place or Port of this Realme, or Wales, shal buy by employ all the mony receiued by him in any Port of the same realme, or Wales, vpon the Merchandizes or other commodities of this Realme (sauiug his reasona- ble

At what time and place merchandize shall be discharged,

At what time and place the master of a ship shall receiue or discharge his lading.

Shipper shall giue notice to the Customer of his departing.

The customer shalbe aduertised of al merchandize brought in;

Aliens shall employ their mony in this Realme.

Merchants and Merchandizes.

He costs by the oversight of the chiefe Gouvernour of the place where he shal arrive) or without fraud shall put the same in due payment to the Kings people within the Realme: the same imployment in payment to be duely proved by the stranger before his departing out of the same Port, by writing from the Merchant to whom the said stranger hath paid his money, witnessing that he hath so done, or else by such proofes as shall seeme reasonable to the Customer or Comptroller of the same Port, and Waio, Bailife, or other chiefe Gouvernour of any such Citie, Borough, or Towne where such Port shall be, upon paine of forfeiture of all his goods, being within this Realme, and one yere of imprisonment. 4.H.4.15. 17.Ed.4.1.3.H.7.8. And Merchants Aliens shall finde suretie in the Chancerie enerie company of them for their company, that none shall carrie gold or silver out of this Realme, against the Statutes therfore provided, upon paine of forfe. of the same, or the value. 2.H.6.6. S. Money 3. Customes 9.

Merchants
of Ireland,
Ireland, and
Ireland, and
Ireland.

10 Every Merchant of Ireland, Iernesey, and Garnesey, that bringeth any Merchandise into this Realme, shal imploy the money received for the same (his reasonable expences deducted) upon the commodities of this Realme, or else without fraud shall put the same money in due payment within this land (the said imployment or payment to be proved as is aforesaid) upon paine of forfe. of the value of the merchandise brought into this Realme. 3.H.7.8.

None dwelling
in the
country shall
sell wares by
retail in a
market towne

11 No person dwelling in the country any where within England, out of any Cities, Boroughs, Townes corporate, or Market townes, shall sell, or cause to be sold by retail, any wollen cloth, linnen cloth, Haberdash wares, Grocerie wares, Percerie wares, at, or within any the said Cities, Boroughs, Townes corporate, or Market townes, or within the Suburbs or Liberties thereof (except it be in open Faires) upon paine to forfe. for every time so offending vij. s. viij. d. and the whole wares so sold &c. to the Qu. and J. which will seize and sue for the same by A. J. B. P. &c. wherein no W. &c. C. P. &c. 1 & 2. P. & M. 7.

Country men
may sell wares
in grosse in
market
townes.

12 This Act shal not be hurtfull to any persons that bring any of the said wollen cloth, linnen cloth, Haberdash, Grocerie, or Percerie wares, to any of the said Cities, Market Townes, &c. to be sold in whole sale, in grosse, and not by retail, but euerie of them may lawfully sell the same by whole sale, in grosse, and not by retail, as they might have done before &c. 1. & 2. P. & M. 7.

When a coun-
treymen is
come to dwell
in a Market
towne, he may
sell by retail.

13 This Act shal not extend to any persons that dwell in the country out of any of the said Cities, Boroughs, Townes corporate, or Market Townes, but euerie of them at any time when he shal be free of any of the guilds, or liberties of any of the said Cities or Market Townes, &c. and dwell within any of them, shall or may sell, or cause to be sold, any of the wares aforesaid by retail: Neither shall this Act be prejudiciall to the liberties and priuiledges of the Universities of Oxford and Cambridge, or either of them. 1. & 2. P. & M. 7.

Oxford.
Cambridge.

Cloth of their
owne making
sold by retail.

14 It shall be lawfull to all persons to sell, or cause to be sold by retail, or otherwise, all Linnen or wollen cloth of their owne making, in euery Citie, Borough, or Towne corporate, and Market towne, as freely as they might have done before. 1. & 2. P. & M. 7.

Commissions
touching poli-
tics of assu-
rance among
Merchants.

15 It shal and may be lawfull for the Lord Chancelor, or the Lord Keeper of the great seale of England, for the time being. to award forth under the great seale of England, one generall or standing Commission, to be renewed yerely at the least, and otherwise so oft as vnto the L. Chancelor or L. Keeper shall seeme good, for the hearing, and determining of causes arising, and polices of assurances, such as now are, or hereafter shall be entred within the Office of Assurances, within the Citie of London, and whereof no suit shall be depending, the last day of this Session of Parliament, in any of her Maiesties courts: Which commission shall be directed vnto

unto the Judge of the Admiraltie for the time being, the Recorder of London for the time being, two Doctors of the Civill Law, and two common Lawyers, and eight grave and discreet Merchants, or to any five of them, which Commissioners or the greater part of them which shall sit and meet, shall have by vertue of this Act, full power and authoritie to heare, examine, order, and decree, all and every such cause and causes, concerning policies of Assurances, in a byfesse & summarie course, as to their discretion shall seeme meet, without formalities of pleadings, or proceedings. 43. El. 12.

16 It shall be lawfull for the said commissioners, as well to warne any of the parties to come before them, as also to examine upon oath any witness that shall be produced, and to commit to prison, without baile or mainprise, any person that shall wilfully contemne or disobey their small Orders or Decrees. And the said Commissioners shall once everie weeke at the least meet, and sit upon the execution of the said Commission in the office of the assurances, or in some other convenient publicke place, by them to be assigned. And no person by vertue of this Act, may claime or exact any fee, for any matter or cause concerning the execution of the said Commission. 43. El. 12.

The Commissioners
authoritie.

17 If any person shall bee grieved, by sentence or decree of the said Commissioners, such person so grieved, may at any time within two Moneths of the said decree so made, exhibit his Bill into the Chancerie, for the reexamination of such decree, so as every person complainant, before he shall exhibit any such Bill, doe either execute and satisfie the said sentence so awarded, or at the least lay downe in Deposito with the said Commissioners, such summes of money as hee shall be awarded to pay, and upon so doing the said Complainant shall be enlarged of his imprisonment. And the Lord Chancellor, or Lord Keeper for the time being, shall have full power and authoritie, by vertue of this Act, upon every complaint made (in order as aforesaid) to reverse, or affirme everie such sentence or decree, according to equitie and conscience. And the said Lord Chancellor, or Lord Keeper, in every such suit brought before him as aforesaid, by such assurers, and decreed against the said Assurers, shall award double costs to the partie assured. 43. El. 12.

A remedy for
the partie
grieved.

18 No Commissioner shall intermeddle in the execution of any such Commission, in cause or matter of assurance, where himselfe shall be either a partie Assurer, or assured, in the same assurance which is brought in question. Nor any Commissioner (other then the said Judge of the Admiraltie, and the Recorder of London) shall deale or proceed in the execution of any such Commission, before he have taken his copposall oath before the Lord Mayor and Court of Aldermen of the Citie of London, to proceed uprightly and indifferently between party and party. 43. El. 12.

None of the
parties shall
be a Commis-
sioner.

19 Whereas divers Merchants have of late obtained from the king, under the great Seale of England, a large Charter of incorporation for them and their company, to trade into the dominions of Spaine and Portugal, and are also most earnest suitors to obtaine the like from his said Maiestie for Fraunce, whereby none but themselves, and such as they shall thinke fit, as being meere Merchants, shall take benefit of the said Charter, disabling thereby all others his Maiesties Subiects of this Realme of England and Wales: It shall and may be lawfull, to and for al his Maiesties Subiects of this his realme of England & Wales, from henceforth at all times, to have free libertie to trade into, and from the Dominions of Spaine, Portugal, and Fraunce, in such sort, and in as free manner as was at any time accustomed sithence the beginning of this his raigne, in this his Realme of England, and at any time before the said Charter of Incorporation was granted, paying to the King, his heires and successors, all such customes and other duties,

All Merchants may
trade into
Spaine, &c.

Merchants and Merchandizes.

The Charter
granted to the
Citizens of
Excester.

ties, as by the Lawes and Statutes of this Realme, ought to be paid and done for the same: The said Charter of Incorporation, or any other Charter, Grant, Act, or any thing else heretofore made or done, or hereafter to be done to the contrary in any wise notwithstanding. Provided alwaies, that this Act shall not be of force to enable or give libertie to any person or persons to go ouer Seas without licence, whys by the Lawes and Statutes of this Realme, or by any Statute hereafter to be made, shall be restrained from going beyond the Seas without licence: Any thing to the contrarie notwithstanding 3. Jac. 6. The foresaid generall Law of 3. Jac. 6. so made as is aforesaid, neither doth, nor shall dissolve, annihilate, or impeach the Charter (by which Qu. Elizabeth by her Letters Patents, vnder the great Seale of England bearing date the xviij. day of June, in the second yeare of her raigne, did incorporate certaine Merchants therein named, and their successors being Citizens and inhabitants of the Citie and Countie of Excester, and did give and grant vnto them the perpetuall name of the Gouernours, Consuls, and Societie of the Merchants aduenturers of the City and Countie of Excester, trafficking into the realm of France, and the Dominions of the French King) or the said Company in any their Priuiledges, Liberties, or Immunities, granted vnto them by the said Charter: Any thing in the foresaid generall Act to the contrarie thereof in any wise notwithstanding. 4. Jac. 9.

Dressing or
transporting
blacke Conie
Skins.

20 No person or persons after the end of thre Moneths next ensuing after the end of this Session of Parliament, vsing the trade of Marchandize, or any other, shall dresse, or cause to be dressed in his or their house or houses, or by any workman appointed by them for that purpose (those workemen not being Artizan Skinners, and vsing the trade of Artizan Skinners) any of the blacke Conie Skins of this kingdome, nor shall transport, or carie beyond the Seas, nor cause to be transported or caried beyond the Seas, nor shall packe, ship, or lade, to the intent to transport or carie beyond the Seas any blacke Conie Skins of the breed of this Realme, vnlesse the same Skinnes shall first bee sawed, and duly and perfectly wrought, dressed, and packed within this Realme, by those that are Artizan Skinners, or Tawers vnder the said Artizan Skinners, according to the Science, Art, and Facultie of the Artizan Skinners, vpon paine of forfeiture of such Skins so packed, shipped, laden, and transported, contrarie to this Act, or the inst or full value thereof. 3. Jac. 9.

Merchants
buying of Co-
ny or Lambe
Skins,

21 No person or persons vsing or exercising the trade of a Merchant shall after the end of the said three moneths next ensuing after the end of this Session of Parliament, buy, bargain, or contract, or cause to be bought, bargained, or contracted for, any Cony skins, or Lambe skins, commonly called Pozkins, of the breed of this Realme, or being within this Realme, vnder the number of one thousand black Conie skins, or thre thousand gray Cony skins, or two thousand Lambe skins, called Pozkins, at a time, and those not to be bought, or contracted for, in, or by parcels, but to be contracted for, bargained, and deliuered at one time intirely together, and not by parcels (except it be of the Artizan Skinners) nor shall bitter or sell the same againe, nor any part thereof to any person or persons within this Realme, in small parcels, viz. vnder the number of one thousand blacke Conie skins, and 3000. of gray Cony skins, and 2000. of Pozkins at a time, vnlesse it be to the artizan skinner, vpon paine of forfeiture of the said skins or the full value of the same. 3. Jac. 9.

A Skinners
Apprentice.

22 After the end of the said thre Moneths, next ensuing after the end of this Session of Parliament, no person or persons shall take, retaine or keepe any Seruant, Journeyman, or Apprentice, to serue or worke with him therein, except the said person so vsing or seting by the said Trade, Mysterie, or Occupation, haue serued seven yeares at the least as an apprentice therein, and doe vs the trade and hande

handy craft of Skinner, upon paine of forfeiture of the double value of all such skins or furs, as shall bee dressed or wrought by such person or persons, his or their servants, Journey-men, or Apprentices, contrarie to the intent of this Act. 3. Jac. 9.

23 All forfeitures and penalties, which by force of this Act shall arise or grow, shall be divided and distributed in manner and forme following, viz. The one moiety of the said penalties and forfeitures afoze mentioned, shall be to the King his heires and successors, and the other moiety thereof to such person or persons, as shall seize the said skins or furs so forfeited, or shall sue for the same penalties and forfeitures by A. B. P. or J. in any Court of Record, wherein no C. P. W. &c. 3. Jac. 9. To endure untill the end of the first Session of the next Parliament.

1 In what sort Merchants and Handy crafts men shall pay their Tythes. See Tythes 30.

Mariners and Souldiers.

If any Souldier, Mariner, or Gunner, which taketh any prest or wages, to serve the King or her heires or successors, doth not goe with, or doth depart from his Captaine within his terme, for the which the Captaine hath retained him (except some impediment by the visitation of God suffer him not to goe) which hee shall certifie immediately to his Captaine, and repay his prest money, or except he doe obtaine licence of his Captaine vnder his seale, it is felonie, and he shall be punished as a felon. 18. H. 6. 19. 5. El. 5. S. Felonie 23.

2 No Mariner or Fisherman haunting the Sea as a Mariner or Fisherman, shall be compelled against his wil to serve as a Souldier upon the land or sea, otherwise then as a Mariner, except it shall be vnder any Captain of some ship or vessel for landing to doe some exploit, which Mariners haue bled to doe, or vnder any other person hauing authoritie to withstand inuasion of enemies, nor to subdue any rebellion within the Realme. And also except all such persons as by tenure, lawfull custome, or covenant be bound to serve. 5. El. 5.

3 No Fisherman, fishing or haunting the Sea, shall be taken by the King's Commission to serve her Highnesse as a Mariner on the Sea, but the said Commission shall be first brought by the King's Warrant to two Just. of P. next adioyning and inhabiting to the said Sea coasts, Townes, or other places where the said Mariners are to bee taken, to the intent the said Just. may chuse out, and cause to be returned such sufficient number of able men, as in the said Commission shall be contained to serve her Highnesse. 5. Eliz. 5. 1. Jac. 25. To continue till the end of the first Session of the next Parliament.

4 All idle and wandring Souldiers or Mariners, or idle persons, which now are, or hereafter shall be wandring, as Souldiers or Mariners, shall settle themselves in some seruice, labour, or other lawfull course of life, without wandring, or otherwise repaire to the places where they were bozne, or to their dwelling places, if they haue any, and there remaine, betaking themselves to some lawfull trade or course of life, as aforesaid, upon paine, that all persons offending contrarie to this Act, to be reputed as Felons, and to suffer as in case of Felony, without any benefit of Clergie to be allowed. 39. El. 17.

5 And every idle and wandring Souldier or Mariner, which comming from his Captaine from the Seas, or from beyond the Seas, shall not haue a testimoniall vnder the hand of some one Justice of Peace, of, or neere the place where hee landed, setting downe therein the place and time, when, and where he landed, and the place of his dwelling or birth, vnto which he is to passe, as aforesaid, and a convenient

The forfeitures.

Mariner departing from his Captaine.

Mariner or fisherman that not serve as a Souldier.

By what meanes fishermen shall be taken to serve as Mariners.

Wandring Souldiers & Mariners shall settle themselves to worke.

Felony.

Wandring Souldiers & Mariners shall haue Testimonials.

Marriners and Souldiers.

venient time therein limited for his passage; or having such Testimoniall, shall not fully exceed the time therein limited, above 14. daies: And also as well every such idle and wandring Souldier or Marriner, as every other idle person wandring, as Souldier or Marriner, which shall at any time hereafter forge or counterfeite any such Testimoniall, or have with him or them any such Testimoniall forged, or counterfeited, as aforesaid, knowing the same to be counterfeited, or forged, in all these cases every such act or acts to be felonie, and the offenders to suffer as aforesaid, without any benefit of Clergie. 39. El. 17.

Counterfeite
testimoniall.

Just. of Assise,
gaole delivery
& peace, may
heare and de-
termine these
offences.

Taking the
offendor into
service for a
yeare.

The idle wa-
nderer falling
sicke by the
way.

A remedy
where the
wanderer
cannot get
worke.

The Idler
taxed for the
reliefe of a
souldier or
mariner.

6 It shall and may be lawfull for the Justices of Assises, Justices of Gaole delivery, and Justices of Peace of every Countie, and for all Justices of Peace in Townes corporat, having authoritie to heare and determine felonies, to heare and determine of all such offences in their generall Sessions, and to execute the offenders which shall be convicted before them, as in cases of felonie is accustomed: Except some honest person valued at the last subsidie next before the time, to 1. l. in goods, or 1. shillings in Lands, or else some honest Freeholder, as by the said Justices shall be allowed, will be contented before such Justices as such person shall be arraigned of felonie, to take him or them into his service for one whole yeare then next following, and then before the said Justices will be bound by Recognisance of 1. pounds to be levied of his lands, goods, tenements and chattels, to the use of our soveraigne Ladie the Queene, if he keepe not the said person or persons for one whole yeare, and bring him to the next Sessions for the peace and gaole delivery next ensuing after the said yeare. And if any such person retained depart within the yeare, without the licence of him that retained him, then to be indicted, tried, and adjudged as a felon, and not to have the benefit of the Clergie. 38. Eliz. 17.

7 Provided alwaies, that if any such idle and wandring persons as aforesaid, shall happen to fall sicke by the way so that by reason of his weakenesse hee cannot travell to his journeyes end within the time limited within this Testimoniall, no such to be within the danger of this Statute, so as he settle himselfe in some lawfull course of life, as aforesaid, or repaire as aforesaid to the place where hee was borne, or was last abiding, within convenient time after the recovery of his sicknesse, and there remaine as aforesaid: Any thing &c. notwithstanding. 39. Eliz. 17.

8 Provided also, that when any such Souldier or Marriner comming from the Seas, or from beyond the Seas, as aforesaid, shall repaire to the place of his dwelling or birth, according to the purport of the said Testimoniall, and cannot of himselfe there get any worke, whereby to imploy himselfe to labour, or other lawfull course of life, as aforesaid: That then in all such cases, upon complaint made by such Souldier or Marriner to two Just. of P. of the said Countie, of, or neere the said place, the said two Just. shall take order by their discretion, to set such Souldier or Marriner to some such honest labour, or worke, as to them shall be thought meet. And for want of such worke, the said two Just. shall take the whole Hundred, by their discretions, for the reliefe of such Souldier or Marriner, till such sufficient worke may be had. 6. El. 17.

9 Provided also, that if any such Souldier or Marriner, comming from the Seas, or from beyond the Seas, as aforesaid, shall not at the time of his landing, or in his travell to the place, whereunto he is to repaire, as aforesaid, going the direct way, that then he resort to some Justice of peace, next adjoining to the said place of landing, or way, and make knowne unto the said Justice his povertie: Who upon perfect notice thereof had, shall have full power and authoritie, by this present Act, to licence the same Souldier or Marriner to passe the next and direct way to the place where he is to repaire, and to limit him so much time onely, as shall bee necessary

necessarie for his traualle thither: And that in such case his licence being so made, and he pursuing the forme of such his licence, shall and may for his necessarie reliefe in his such trauell, aske and take the reliefe that any person shall willingly giue him, & in such case his such traualle and taking of almes, as aforesaid, shall not be taken an offence against the law. 39. Eliz. 17.

The souldier or Mariner licenced may aske and take reliefe.

10 Provided also, that this Act, nor any thing therein contained, shall extend or be interpreted to make or worke any corruption of blood in any the heires, or heire, of any such offender or offenders: any thing in this Act to the contrarie notwithstanding. 39. Eliz. 17. 1. Jac. 25. To continue to the end of the first Session of the next Parliament.

No corruption of blood.

- 1 For the Mariners forfeiture for transporting Corne, Beere, Butter, Cheefe, &c. S. Corne 1.
- 2 For the Mariners forf. for the transporting of Leather. S. Leather 33.
- 3 A prouision for the reliefe of Mariners & Souldiers. S. Capitaines 17. &c.
- 4 For the punishment of Watermen which hide themselves in the time of pressing. S. Boatmen 6.
- 5 For Sea markes, S. 8. Eliz. 13.

Marshall, Marshallie.

The Steward and Marshall shall not hold plea of freehold, nor of debt, couenant, nor any contract made betweene any of the Kings people, but onely of trespassse done within the Kings house, or other trespassse done within the verge, and of such contracts, and covenants, that one of the Kings house maketh with another within the same house, and not elsewhere, and they shall plead no plea of trespassse, except the partie were attached by them, before the King departed from the verge where the trespassse was committed, and they shall plead them speedily from day to day, so that they may be pleaded and determined before the King depart out of the limits of the same verge, where the trespassse was committed. And if they cannot be determined within the limits of the said verge, the pleas shall cease before the Steward, and be determined at the Common Law. The Steward shall not take cognisance of debts, nor other things, but of such persons only which be of the Kings house, nor shall hold any other plea by obligation made by a distresse taken by the Steward, or Marshall. And if they attempt any thing contrarie to any part of this statute, it is void. 28. Ed. 1. 3. Articuli super chartas.

Of what things the Marshall of the Kings house shall hold plea.

Cognisance of debts.

2 If any plea of debt, detinue, or other plea personall be commenced betwixt any persons being not of the Kings house, though the Record doe make mention that the plaintife and defendant in the same plea be of the Kings house, yet the defendant shall not be esopped by such record, but may haue his auerement, that he himselfe, or the said plaintife were not of the Kings house at the time of the said plea or suit commenced. 15. H. 6. 1.

The defendant shall not be esopped by the plaintifes declaration.

3 In all places where the King in his owne person shall come to rest, abide, or make repose, there within the verge limited to his Graces Court, (which shall not passe the space of twelue miles, to be accounted from his lodging. 12. R. 2. 3.) The Steward, Marshall, Coroner, & all other Officers may keepe their Courts for Justice, and execute their Officers which shall appertaine vnto them, according to the Lawes, customes, and statutes of this Realme, as well within liberties as without, during the time of the Kings abode: any prouledge or graunt notwithstanding. 27. H. 8. 25.

During the Kings abode the Marshall may keepe his Court.

4 In every case where Enquests be to be taken before the Steward and Marshall of the Kings house, such Enquests shall be taken by men of the Countrey thereabout, and not by any of the Kings house, except it be of contracts, covenants, or

The verge twelue miles. Enquests in the Marshalls trespases Court;

Marshall, Marshallie. Masons. Matrimonie.

trespasses made by such whereof the one part and the other is of the K. house, and that in the same house. 5. Ed. 3. 2. 10. E. 3. 3. S. Triall 4. 5.

Error in the
Marshalls
court shall be
reuered in
the K. bench.
The Mar-
shallis seys.

5 If any will complaine of Erroz made befoze the Steward and Marshall of the Kings house, he shall haue a writ to remoue the recozd and the pces into the Kings Bench, and there the Erroz shall be redressed. 5. Edward. 3. 2. 10. Edward. 3. 3.

Seruitoz of
Wills.

6 The Marshall of the Marshallie of the Kings house may take the fees here, after following in open Court: that is, of every person which commeth by Capias to the said Court iij. s. and if he be let to mainprize vntill his day two pence moze. And of every person being defendant which is impleaded of trespassse, and findeth two mainpernozs to keepe his day vntill the end of the plee two pence. And of every person committed to prison by iudgement of the Steward, in whatsoeuer manner the same be iij. pence. And of every person deliuered of felonie iij. pence. And of every felon let to mainprize by the Court iij. s. But if the Marshall, or any his Officers vnder him, do take any other fees than are befoze declared, the said Marshall, and every of his officers shall loose their offices, and also shall pay to the party griened treble damages, for the which the said partie shall haue his suit befoze the Steward of the said Court, for the time being. A seruitoz of Wills, which beareth a staffe of the same Court, shall take for every Mile from the same Court, vntill the same place where he shall doe his seruice a penie, and for xij. miles xij. s. and to serue a Venire facias, or a Distringas out of the same Court, the double. And if any seruitoz of bills doe the contrarie, he shall be imprisoned, and make fine to the K. after the discretion of the Steward of the same Court, and also be forfeitadged and banished the same Court. All which Articles the Steward at his comming into the Countrey, hath authoritie to proclaime and put in execution. 2. H. 4. 23. And Priests, and other Ecclesiasticall persons taken in the Marshallie of the Kings house, shall pay such fees, as lay people shall reasonably paie, and no moze. 9. R. 2. 5.

Ecclesiasticall
persons.

Steward of
the Marshall-
ie.

7 The Steward of the Marshallie shall be for ever from time to time assigned by writting vnder the seale of the Lord Steward of the K. house for the time being. 33. H. 8. 12.

1 In what cases the plaintife shall answer damages in the Marshallie. S. Damages 2.

Masons.

Chapters and congregations of Masons shall not be from henceforth holden. And if any such be made, they that cause such Chapters and Congregations to be assembled and holden, if they thereof be conuict, shall be adiudged for felons: And all the other Masons, that come to such Chapters and Congregations be punished by imprisonment of their bodis, and make fine and rancome at the Kings will. 3. H. 6. 1.

Matrimonie.

All persons be lawfull to contract Mariage, that be not prohibited by Gods law to marie, and no reseruatiō or prohibition (Gods laws except) shall trouble or impeach any mariage without the Levitical degrees. And no person of what estate, degree, or condition soeuer he or she be, shall be admitted in any of the Spirituall Courts within the Kings Realme, or any his Lands, and Dominions, to any proceſse, plea, or allegation contrarie to this Act. 32. H. 8. 38. 2. Edward. 6. 23. 1. Eliz. 1.

2 All and euery Law and Lawes positive, Canons, Constitutions, and ordi-
nances, heretofore made by the authoritie of man onely, which doe prohibite, or fo-
bid mariage to any Ecclesiasticall or Spirituall person or persons, of what estate,
condition, or degree they be, or by what name or names soener they be called,
which by Gods Law may lawfully marie, in all and euerie article, branch, and sen-
tence, concerning onely the prohibition for the mariage of the persons aforesaid
shall be utterly void. And all manner of forfeitures, paines and penalties, crimes,
or actions which were in the said Lawes contained, and of the same did follow, con-
cerning the prohibition for the mariage of the persons aforesaid, shall be cleerely
void, and of none effect, to all intents, as well concerning mariage heretofore made
by any of the Ecclesiasticall or Spirituall persons aforesaid, as also such which here-
after shall be duely and lawfully had, celebrate, and made, betwixt the persons
which by the Lawes of God may lawfully marry. 2. & 3. Ed. 6. 12.

A Repeale of
all Lawes
made against
the mariage of
Priests.

3 This Act shall not extend to giue any libertie to any person to marie without
asking in the Church, or without any Ceremonie being appointed by the order set
forth in the Booke intituled, The Booke of common praier, and administration of
Sacraments. 2. & 3. Ed. 6. 21.

Asking in the
Church.

4 This Act shall not extend to alter, reuoke, repeale, or otherwise to disannull
any decree, sentence, iudgement, or diuorice heretofore had, or made, but all & euery
such decree, iudgement, sentence, and diuorice, shall remaine and be of like force,
effect, and degree, to all intents and purposes, as they were in before the making of
this Act, and as though this Act had neuer beene. 2. & 3. Ed. 6. 21. 1. Iac. 2. 5.

Former de-
crees of di-
uorces.

5 The Matrimonie of all and euery Priest & other Ecclesiasticall & Spirituall
persons, & person heretofore had, celebrated, and made, & the matrimonie of euery
Priest, and other Ecclesiasticall person, which shall hereafter be duely had, celebra-
ted, & made, shall be adiudged & taken for true, iust, and lawfull Matrimonie, to all
intents and purposes. And all and euerie childzen, and Child bozne in any such ma-
trimonie, shall be reputed and taken to all intents & purposes to be bozne in lawfull
matrimonie, and to be legitimat, & inheritable to lands, tenements, and other here-
ditaments, from, & by any of their fathers, mothers, and other auncelloze, in like
maner and forme to all intents, as any other childzen bozne in lawfull matrimonie
betwixt any of the Kings lay subiects be inheritable: And as well all and euerie
Priest, & other Ecclesiasticall & Spirituall person & persons, be, and shall be enabled
to be tenants by the Curtesie, after the death of their wiues, of such lands, tene-
ments, and other hereditament, as their wiues shall happen to be seised of, of es-
tate in fee simple, or estate in fee taile generall, during the espousals: As also euery
wife of euery such Priest, and other Ecclesiasticall person, shall be enabled to claim,
demand, haue, and enioy Dowry of the lands, tenements, & other hereditaments,
whereof her husband during the espousals betweene them, was seised of estate
in fee simple, or fee taile generall in his owne right, in like maner and forme, to
all intents, as any other husband, or wife, may or might claime, demand, haue or
enioy: Any law, statute, canon, custom, &c. made to the contrarie notwithstanding.
5. & 6. Ed. 6. 12. The childzen of Ecclesiasticall persons in the aforesaid Act mentio-
ned shall be and continue legitimat, and inheritable to all intents and purposes, as
childzen of Laie persons doe enioy and may inherite: Any canon or constitution to
the contrarie notwithstanding. 1. Iac. 2. 5.

The mariage
of Priests.
lawfull.

Priests chi-
dren legitimat

6 But this Act shall not extend to giue libertie to any person to marie, without
asking in the Church, or without the ceremonies, according to the Booke of Com-
mon praier, and administration of the Sacraments, nor shall make any such mari-
age already made, or hereafter to be made, good, which are prohibited by the Law
of God, for any other cause. 5. & 6. Ed. 6. 12.

Asking in the
Church.

7 This Act shall not extend to alter, change, reuoke, repeale, or otherwise to dis-
annull

Th b y

Matrimonie. Mault.

annull any decre, iudgement, or sentence of diuorſe heretofore had, or made: Or to change, or alter the poſſeſſion, or inheritance of any lands or tenements already diſcended, but they and euery of them ſhall remaine and continue of ſuch like force and decre, to all intents, as they were befoze the making of this act. 5. & 6. Ed. 6. 12. 1. 1. Jac. 25.

There ſhall be no marriage until the former husband or wife be dead.

8 If any perſon or perſons within his Ma. dominions of England and Wales being married, or which hereafter ſhall marie, doe marie any perſon or perſons, the former husband or wife being alieue, Then euery ſuch offence ſhall be felonie, and the perſon and perſons ſo offending ſhall ſuffer death, as in caſes of felonie: And the partie and parties ſo offending ſhall receiue ſuch and the like proceedings, trial, and execution in ſuch countie where ſuch perſon or perſons ſhall be apprehended, as if the offence had bin committed in ſuch countie where ſuch perſon or perſons ſhall be taken or apprehended. 1. Jac. 17.

Quere:

9 Provided alwaies, that this Act ſhall not extend to any perſon or perſons whoſe husband or wife ſhall be continually remaining beyond the Seas by the ſpace of vij. yeares together, or whoſe husband or wife ſhall abſent him or her ſelfe the one from the other, by the ſpace of ſeuene yeares together, in any parts within his Ma. Dominions, the one of them not knowing the other to be living with, in that time: Neither ſhall extend to any perſon or perſons that are or ſhall be at the time of ſuch marriage diuorced by any ſentence, had, or hereafter to be had in the Eccleſiaſticall Court, or to any perſon or perſons, where the former marriage hath beene, or hereafter ſhall be by ſentence in the Eccleſiaſticall Court declared to be void, and of no effect: Nor to any perſon or perſons, for or by reaſon of any former marriage had or made, or hereafter to be had or made within age of conſent. 1. Jac. 17.

10 Provided alſo, that no attainder for this offence made Felonie by this Act, ſhall worke any corruption of blood, loſſe of dower, or diſheriſon of heire or heires. 1. Jac. 17.

1 Doctors of the Ciuill Law being married, may exerciſe Eccleſiaſticall Iuriſdiction. S. Eccleſiaſticall &c. 44.

Mault.

How long Mault ſhall be in the fat, flower, ſteeping, and drying.

NO perſon or perſons ſhall make any Barley Mault (the moneths of June, July, and Auguſt onely except) but the ſame ſhall haue in making thereof, that is to ſay, in the fat, flower, ſteeping, & ſufficient drying of the ſaid Mault, three weekes at the leaſt. And no perſon or perſons, at any time within the ſaid moneths of June, July, and Auguſt, ſhall make any Barley mault, except the ſame haue in the fat, flower, ſteeping, and ſufficient drying, the time and ſpace of xvj. daies at the leaſt: Under and without which time & times, the ſaid Mault cannot be well and perfectly made, nor wholeſome for mans body: vpon paine to forfeit for euery quarter of Mault, which ſhall be made by any perſon or perſons, contrarie to the tenor, purpozt, and true meaning of this Act, y. s. to the R. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 2. Ed. 6. 10.

How ſhall mingle good Mault with ſtall.

2 A perſon or perſons, ſhall mingle or put together any Mault, not being well and ſufficiently made, or being made of Powburnt or ſpiced Barley, with other good Mault, and after put the ſame ſo mingled to ſale, vpon paine to forfeit for euery Quarter ſo mingled and put to ſale, y. s. to the R. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 2. Ed. 6. 10.

Mault ſhall be well trodden, rubbed, and fanned.

3 If any perſon or perſons, ſhall put to ſale any Mault, which ſhall not be ſufficiently and well trodden, rubbed, and well fanned, whereby there may be conueniently fanned out of one Quarter thereof, halfe a pecke of duſt, or moze: then the perſon

person so putting the same to sale, shall forfeit for every quarter so put to sale xx. s. to the B. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. ac. 2. Ed. 6. 10. 17. R. 2. 4.

4 The Just. of P. in every their Sessions, & also the Stewards, in every Leet, shall have full power and authoritie, by vertue of this Act, to inquire, heare, and determine, as well by presentment of ry. men, as by accusation or information of two honest witnesses, of, for, & upon all and every the offences & forf. aforesaid, as well for the B. as the partie that shall sue, prosecute, or cause the same to be presented, as is aforesaid. And the Bailiffs and Constables of every borough, or market towne, or other towne, where any such Mault shall be made, or put to sale, shall have full power and authoritie from time to time, to view, search, & suruey all such mault as shall be made or put to sale, within any of the said townes. And if any of them, shall therupon find any mault so put to sale, being evil made, or mingled with evil mault, contrarie to the tenor and true meaning of this act: then the Bailife or Const. so finding any such Mault evill made or mingled, as aforesaid, with the advice of one J. of P. within the same shire, shall cause the same to be sold to such person or persons, and at such reasonable price, or prices, and vnder the common price of the market, as to his discretion shall seeme necessarie and expedient. 2. Ed. 6. 10. S. Leet 5. Just. of P. 30.

5 This act, nor any thing therein contained, shall not extend to charge, or be, to the making of mault for any mans owne provision, for his owne house or familie, neither preiudiciall to any person or persons, for, or concerning any the offences or forfeitures aforesaid: Except he or they so offending shal happen to be sued, presented, and accused for the same, in manner and forme aforesaid, within one yeare next after any such offence or offences shall be done or committed: any thing fr. notwithstanding. 2. Ed. 6. 10. 1. Jacobi 25. To continue to the end of the first Session of the next Parliament.

6 From time to time, and at all times hereafter it shall and may be lawful for the Justices of peace within this Realme in their open quarter Sessions, or the more part of them, by their discretions, to suppress, discharge, or restraine the superfluous & unnecessarie number of Maulters in part, or in the whole: And also to restraine such person and persons, as to their discretions shall seeme meet, from the buying of Warley to convert into Mault, in part, or in all, for such time or times as to their discretions shall seeme meet. And if any person or persons shall refuse, disobey, or not performe such suppressing, discharging, or restraint, or any order whatsoever the said Justices shall set downe touching the same: Then and so often such person & persons being thereof duely convicted before the said Justices, or any two of them, by the testimonie of two witnesses, or by his owne confession, shall be by the said Justices committed to the common Gaole of the Countie, Cittie, or corporation towne, where the offence is committed, there to remaine without baile or mainprise, by the space of three daies, and from thence untill he shall become bounden by Recognizance in the summe of xl. l. to be taken to the shire of her Majestie, before any Just. of P. to stand to, performe, and obey such suppressing, discharging, or restraint taken by the said Justices, as aforesaid. 39. El. 16.

7 Provided alwaies, that the said Justices of Peace, within any Countie of this Realme, shall not intromit, or enter into any Cittie, Borough, or Towne corporation, for the execution of any article in this Act, except he be a Justice of peace also in the said Cittie, Borough, or Towne corporation, but that it shall be lawfull to the Just. of peace, Maiors, Bailiffs, and other head officers of those cities, boroughes, and townes corporation, where they keepe Sessions, to proceed to the execution of this Act, and everie article thereof within the precincts of their liberties, at such time and times, & as often as to them shall seeme meet, in as large and ample manner,

Justices,
Stewards,
&c. shall have
offenders.

Mault made
for a mans
owne provision.

Just. of peace
may restraine
the number of
Maulters.

Buyng of
Warley.

Cittie, Bo-
roughs, and
townes cor-
porat.

Mesne.

Barley grow-
ing, tithes, or
rent.

ner, as the Justices of peace in any Countie may doe. 39. Eliz. 16.

8 Provided also, that it shall and may be lawfull, to, and for every person and persons, which shall have of his owne any Barley or Cozne growing, or any tythe Cozne, or rent Cozne, reserved upon any Leale or demise, to convert into Wheat all or any such Barley or Cozne: any thing in this present act to the contrary notwithstanding. 39. Eliz. 16.

Pone shall
meddle, which
bleth to make

9 Provided also, that no manner of person or persons shall deale, or meddle in the execution of this Act, that use to buy Barley to convert to Wheat, and to sell the same againe. 39. El. 1. 6. 1. Jac. 25. This Act shall continue untill the end of the first Session of the next Parliament.

Mesne.

The Mesne
for: iudged of
his Mesnallie

When chiefe Lords doe distraine in their fee for customes and services due unto them, and there is a Mesne which ought to acquit the Tenant, thence it lieth not in the mouth of the Tenant after he hath replenied the distresse, to denie the demaund of the chiefe Lord which anoweth in the Kings Court, that the distresse is lawfully taken upon his Tenant, viz. upon the Mesne, this remedie following is provided for the tenant, That as soone as the Tenant in demesne (having a Mesne betwene him and the chiefe Lord) is distrained, immediatly the tenant shall purchase a writ of Mesne. And if the Mesne having land in the same Countie will make default untill the graund distresse be awarded, the plaintife shall have such day given him in his writ of graund distresse, that befoze the coming thereof, two counties may be holden, & the Shyrife shalbe commanded that he doe distraine the Mesne by the graund distresse, as in the writ is contained: And notwithstanding, the Shyrife in two full counties shall cause solemnly to be proclaimed, that the said Mesne shall appeare at the day contained in the writ, to answer the Tenant: At which day if he doe not appeare, the suit shall proceed betwixt them according to the accustomed maner, & if he do not appeare, then the said Mesne shall lose the service of his tenant, & from thenceforth the tenant shal not answer him in any thing, but (leaving the Mesne) shall answer the chiefe Lord those services and customes which befoze time the foresaid Mesne had wont to do. But the chiefe Lord shall have no power to distraine the tenant in demesne, so long as the said tenant doe offer him his services due and accustomed. And if the chiefe Lord doe require more than the Mesne ought to doe unto him, the tenant in this case shall have the same exception against the Lord, which the Mesne should have had. And if the Mesne have nothing in the Kings power, yet the tenant shall purchase his writ of Mesne to the Shyrife of that county wherein he is distrained. And if the Shyrife return that he hath nothing, whereby he may be summoned, yet a writ of Attachement shall be awarded, & if the Shyrife returne that he hath nothing whereby he may be attached, yet a writ of graund distresse shalbe awarded, and Proclamation shall be made in soyme aforesaid. If the Mesne have no lands in the Countie wherein the distresse is taken, but hath land in some other Countie, then an Originall writ shall be awarded to summon the Mesne, to the Shyrife of that Countie wherein the distresse is taken: & when that Shyrife shall returne that he hath nothing in his countie, then a Iudiciall writ shall be awarded to summon the Mesne, to the Shyrife of that countie wherein it is testified that he hath land, & the suit shal proceed in that countie untill it is come to the graund distresse & proclamation, as befoze is said of the Mesne having land in the same countie where the distresse is taken, and notwithstanding suit shall be in the countie wherein he hath nothing (as befoze is said of the Mesne having nothing) untill it be come to the graund distresse & proclamation, & so after proclamation made in both counties, the Mesne shall be sozeiudged of his fee

for and service. And whereas it chanceth sometime that the tenant in demesne is enfeoffed to hold of the Mesne by lesse service then the Mesne ought to doe unto the chiefe Lord, when after such proclamation the tenant hath atturnd unto the chiefe Lord (omitting the Mesne) the tenant must of necessitie answer the chiefe Lord the services and customes, which the Mesne befoze ought to haue done unto him. And after the Mesne doth come into the court, and doth acknowledge that he ought to acquit his Tenant, or is adiudged to acquit him, if after such acknowledging or indgement, there be complaint made that the Mesne hath not acquitted his tenant, then a iudiciall writt shall be awarded, that the Shyrife shall distraine the Mesne to acquit the tenant, and to appeare befoze the Justices at a certaine day, to shew why he did not acquit him befoze. And when he appeareth at the distresse, the plaintife shall be heard, and the plaintife can verifie that he hath not acquitted him, he shall yeld him dammages, and by award of the Court, the tenant shall goe quite from his Mesne, and atturnd unto the chiefe Lord, and if he dos not appeare at the first distresse, another writt of distresse shall be awarded, and proclamation shall be made, and as soone as that is returned, indgement shall be given as is aforesaid. And it is to be noted, that by this statute, the tenants be not excluded, but they may haue their warrantie of the Mesnes and their heires, if they be impleaded of their tenements as they haue had befoze, neyther be the tenants excluded, but they may sue their Mesnes according to the custome befoze time used, if they see that the proces in ancient time used, any moze auaille them then that which is given by this Statute. And it is to be understood, that by this Statute, there is no remedie provided for all Mesnes but onely in case where there is but one onely Mesne betwixt the Lord that both distraine and the tenant, and but in such where the Mesne is of full age, and but in such case where the tenant without the preiudice of any other then of the Mesne, may atturnd to the chiefe Lord, the which is said for women that be tenants in dower, tenants by the curtesie of England, or otherwise tenants for terme of life, or in fee taile, for whom by this Statute no remedie is provided. Westminster. 2. 13. Edw. 1. 9.

The tenant holding by lesser service then the Mesne doth.

Warrantie of the Mesne.

The tenant may take his remedie given by the Common Law.

For which Mesne this Statute is provided.

Mildernix and Powle Davies.

NO person or persons resident or dwelling within this Realme, shall make, weave, or cause to be made or weaved, any Cloth, or Clothes for Sayles, or furniture of Shippes, or other sayling vessels, called or knowne by the name or names of Mildernix and Powle Davies, or any of them, but such as now doe use the same, or any of their servants, or such as shall hereafter be apprentices, and trained and brought up in the trade and art of making of the said Clothes by the space of vij. yerres together at the least: Nor shall set any man to worke in the making or weaving of any such clothes being not a workeman trained up befoze the first day of August next comming in the said art and mysterie, upon paine that every such person offending, or doing the contrarie shall forfeit for every default xx. s. for every moneth. 1. Jac. 24.

2. No person or persons shall make or weave the said clothes of any other stuffe then of good and sufficient hennep, nor of any lesse length then xxij. yards, nor of any lesse breadth then thre quarters of a yard: Nor the weaver or other person or persons shall sell, or offer to sell any of the said clothes, befoze the stuffe be well beaten, scoured, bleached, and the cloth well dyen, with a brayen or iron shuttle, upon paine that every person offending, or doing the contrarie herein, shall forfeit. and lose for every such pece of cloth woven, made or sold contrary to the form of this act v. s. And the moitie of the benefit of all the forfeitures and penalties in this Act contained shall

Monasteries, &c.

The forfeitures.

Shall be unto the B. his heires and successours: And the other moitie unto such as will sue for the same in any of the kings courts, by W. B. A. J. or otherwise, where, in no W. C. or D. shall be allowed. 1. Jac. 24.

Monasteries, Colledges, Free-chappels, Chauntries, &c.

**Monast. gi-
uen to the B.
which haue
not in lands
aboue 20. l. by
the yeare.**

ANn 27. H. 8. it is enacted, that the said B. H. 8. shall haue and enioy to him, and his heires for euer, all such Monasteries, Priories, and other religious houses of Monkes, Canons, and Pons, which haue not lands, tenements, rents, tythes, portions, & other hereditaments, aboue the cleere yerely value of 200. l. And in like maner shall haue all the sites & circuits of enerie such religious houses, and all & singular the manors, granges, meases, lands, tenements, rents, reuerfions, seruices, tithes, pensions, churches, chappels, aduowsons, patronages, annuities, rights, conditions, & other hereditaments, belonging to enerie such Monasterie, Priorie, or religious house, in as large maner, as the abbots, priors, abbeses and other Gouernors of such religious houses &c. now haue or ought to haue the same, in the right of their houses: And also he shal haue to him and to his heirs, all such Monasteries, Abbies, and priories, which at any time within one yere next befoze the making of this act, haue bin giuen and graunted to his Maieftie by any abbot, prior, Abbesse, or Prioresse, vnder their Couent seale, or that otherwise haue bene suppressed, or dissolved, & all the manors, lands, &c. & hereditaments to any of the same Monasteries &c. belonging. And the King shal haue the actual & reall possession of all the said religious houses, so that he may giue and dispose them at his pleasure, without further inquisitions or offices to be found for the same. And the King shall haue to his olon vse all such ornaments, iewels, goods, cattels and debts which appertained to any of the chiefe gouernors of the said monasteries, or religious houses, in the right of their said Monasteries or houses, at 1. Martij Ann. Dom. 1535. or at any time sitheence, wheresoener they shall come, except only such beasts, graine & woods, & such other like cattell and reuenues, as they haue sold befoze the said first day of march, or sitheence, for the reasonable expences of any of the said houses &c.

**Monast. sup-
pressed within
a yeare befoze.**

**Monasteries
goods giuen
to the king.**

**A confirmation
of the Kings
Letters Pat.
made of the
by lands.**

2 And in the same Statute it is further enacted, that euerie person and bodie politique & corporat, which haue, or shall haue any Letters patents of the King of any of the sites, circuits, manors, lands &c. or other hereditaments which appertaine to any monasteries, abbies, or priories, heretofore suppressed, or that shall be suppressed by this Act, shall haue and enioy the said sites, lands &c. and all other hereditaments contained in their Letters patents, according to the tenor of the same Letters patents, and shall also haue all such actions, suits, entries, and remedies to all intents for any thing contained in euery such Letters patents, in like maner as the chiefe Gouernors of any religious houses had the same, or ought to haue had, if they had not bin suppressed. 7. H. 8.

**Other mens
titles saved.**

3 Sauing to euery person & persons, & bodie politike, their heires & successours (other then the Abbots, Priors, Abbeses, Prioresse, & other chiefe Gouernors of the said religious houses, espected in this act, and the contents of the same, & their successours, and such as pretend to be founders, patrons, or donors of such religious houses, or of any lands, tenements, or hereditaments belonging to the same, & their heires & successours) all such right, title, interest, possessions, leases for yeres, rents, seruices, annuities, commodities, fees, liberties, & linings, pensions, portions, corporations, sinodes, priories, and all other profits, as they or any of them hath, ought, or might haue had, in or to any of the said Monasteries, or other religious houses, or in, or to any manors, lands, or other hereditaments, that appertaine to any of them as if the same houses had not bin suppressed by this Act, but had continued. And sauing vnto euery person & persons being founders, patrons, or donors of any abbey, priorie,

**The founders
right of some
things saved.**

prioze, or other religious houses suppressed by this act, their heires & successours, all such right, title, interest, possession, rents, annuities, fees, offices, leases, commons, & all other profits, which any of them haue, or should haue had, without fraud or co-
uin by any meanes, otherwise then by reason or occasion of the dissolution of the
said Abbies, priozes, or other religious houses, into or vpon any of the said abbies
&c. whereof they be founders, patrons, or donoze, or into or vpon any lands, tene-
ments, or other hereditaments, belonging to the same, in like manner as other per-
sons & bodies politike, be saued by this act, as is befoze reherfed, And as if the same
abbies, priozes, or other religious houses had not bin suppressed by this act, but had
continued in their essentiall bodies and estates. 27. H. 8.

4 All craftie and fraudulent recoveries, feoffements, estates, gifts, grants, and
leases, and euery of them, made by any of the chiefe gouernours of such religious
houses, vnder their couent seales within one yeare next befoze the making of this
Act, shall be vtterly void. 27. H. 8.

Fraudulent
conueyances.

5 Such persons as haue leases for terme of life or yeares, whereupon is refer-
red the old rent, and seruices accustomed, & such as haue any offices, fees, or cozro-
dies, that hath bin accustomed in such religious houses, and haue bought any linc-
rie or lining in any such houses, shall haue and enjoy the same, as if this act had ne-
uer bin made. 27. H. 8.

Leases, offi-
ces, fees, cozro-
dies, saued.

6 But this act shall not be pzeiudiciall to any Abbots, or Prioze of any abbies
or priozes, being certified into the Exchequer, to haue in possessions and profits
spirituall and tempoꝝall, aboue the cleere yearely value of 200. l. concerning such
Cells of religious houses, belonging to their Monasteries or Priozes, in which
Cells the Prioze, or other chiefe gouernours thereof, be vnder the obedience of the
abbots and prioze, to whom such Cells belong, and cannot sue nor be sued, and be
prioze or gouernours datine or remouneable, and account of the profits of such Cells
at the pleasure of the abbots and prioze, &c. 27. H. 8. a stat. not imprinted. S. Husb. 1.

Cells of hon-
ses vnder the
obedience of
others.

7 And 31. H. 8. 13. It is enacted, that the King shall haue and enjoy to him his
heires and successours for euer, all and singular such late Monasteries, Abbathies,
priozes, priories, Colledges, Hospitals, houses of Friers, and other religious and
ecclesiasticall houses and places, which sithence 4. Feb. An. 27. H. 8. haue bin dissol-
ued, suppressed, renounced, relinquished, forfeited, giuen by, or by any other means
come to his highnesse: And in like manner shall haue and enjoy all the sites, circuits,
precincts, manors, lordships, granges, meases, lands, tenements, meadows, pa-
tures, rents, reuerfions, seruices, woods, tithes, pensions, portions, parsonages ap-
propriated, vicarages, churches, chappels, aduowfons, nominations, patronages, an-
nuities, rights, interests, entries, conditions, commons, lets, courts, liberties, pri-
uiledges, franchises, and other whatsoever hereditaments, which appertained to
the said late Monasteries, and other religious houses &c. or to any of them, in as
ample manner, as the late Abbots, Prioze, and other ecclesiasticall gouernours of such
Monasteries and religious houses, had, held, or occupied, or of right ought to haue
had, holden, or occupied, in the right of their said Monasteries, or religious houses,
at the time of the said dissolution, or by any other meane comming of the same to
the K. sithence the said iiii. day of Februarie. And not only all the said late Mona-
steries, Abbathies and other religious houses, sites, circuits, manors, lands, and all
other the premises forthwith presently, but also all other Monasteries and all other
religious and Ecclesiasticall houses and places, which hereafter shall be dissolved,
suppressed, or by any mean come vnto the King. And also all the sites, circuits, ma-
nors, lands & other hereditaments whatsoever belonging to any of them, whenso-
euer, and as soone as they shalbe so dissolved, or by any other mean come vnto the K.
shall be bested & adiudged in the very actuall and reall seisin & possession of the king
his heires and successours for euer, in the state and condition as they now be, and as
though

All religious
houses which
befoze were,
or should be
dissolued, gi-
uen to King
H. 8.

Monasteries, &c.

though all the said late Monasteries, Abbathies and other religious and Ecclesiastical houses and places so dissolved and suppressed, as also which hereafter shall be dissolved, suppressed &c. or come unto the King, Scites, Circuits, Precincts, Parishes, Lordships, Chaunces, Lands, Tenements and other the premises, and every of them, were in this present Act specially and particularly named by expresse wordes.

Other mens
titles saved.

8 Having to every person or persons, and bodies politike, and the heires and successours of every of them (other then the said late Abbots, and ecclesiastical Governours of the said late Monasteries, and other religious and Ecclesiastical houses and places, & the successours of every of them, and such as pretend to be Founders, Patrons and Donors of such Monasteries, and other ecclesiastical houses and places, or of any manors, messuages, lands, tenements and other hereditaments belonging to the same, their heires and successours, & the heires & successours of every such patron, founder, or donor, and the now Abbots and other Ecclesiastical Governours of such Monasteries and religious houses & places, which hereafter shall be dissolved, or come to the King, and such as pretend to be Founders, Patrons, or Donors of such Monasteries and Ecclesiastical houses and places, or of any manors, messuages, lands, tenements, or other hereditaments to any of them belonging, their heires and successours) all such right, title, claime, interest, possessions, rents, charges, annuities, leases, farms, offices, fees, liveries and livings, portions, pensions, copyholdes, commons, tithes, parishes, and other profits, which they or any of them have, claime, ought, may or might have had, in or to the premises, or to any part or parcell thereof, in such like manner, to all intents, as if this Act had never bin made (rents services, rents secks, and all other services and suits onely excepted.)
31. H. 8. 13.

Leases of
lands not bu-
ally let.

9 If any Abbot, Prior, Abbess, Prioresse, or other Ecclesiastical Governour or Governesse, of any Monastery, Abbathie, or other Religious or Ecclesiastical house or place which hereafter shall be dissolved, suppressed, or come to the King, within one yeare next before the first day of this Parliament (being 28. Aprilis. An. Domini 1539.) have made, or hereafter do make any lease or grant under his covent or common seale, or otherwise for terme of yeares, or life or lives, of the scite, circuit and precinct of his said Monastery or Ecclesiastical house or place, or of any part thereof, or of any manors, messuages, lands, or other hereditaments, belonging to his said Monastery or Ecclesiastical house or place, which manors, messuages, granges, lands &c. or other hereditaments, were not before the same lease commonly used to be let to terme, but reserved in the manurance, tillage, or occupation of the said Governour or Governesse, for the maintenance of Hospitalitie, and good house-keeping, or now be in the manurance, tillage, or occupation of the said Governour, or Governesse, for the maintenance of Hospitalitie &c. or within one yeare next before the first day of this Parliament, hath made, or hereafter shall make any lease or grant, for terme of life, or for terme of yeares, of any manors, messuages, Lands &c. or other Hereditaments, whereof and in the which any estate, or interest, for terme of life, yeare or yeares, at the time of the making of any such grant or lease, then had his being or continuance, or hereafter shall have his being or continuance, and then was not determined or expired, or at the time of any such Lease to be made, shall not be determined or expired: or within one yeare next before the first day of this Parliament, hath made, or hereafter shall make, any lease or grant for terme of life, or for terme of yeares, of any manors, messuages, lands, or other hereditaments, upon the which leases or grants the usual and old rents, and farms accustomed to be yealden and reserved, by the space of twentie yeares, next before the first day of this Parliament, is, or be not, or hereafter shall not be thereupon reserved and yealden: or within one yeare next before the first day of this

Leases in re-
version.

Leases not
reserving the
old rent.

this Parliament hath made, or hereafter shall make any bargain or sale of his woods, which woods be yet growing and standing, then all and every such lease, graunt, bargain, and sale of woods, shall be utterly void. 31. H. 8. 13.

10 All feoffements, fines, and recoveries, had, made, knowledged, or suffered within one yeare next before the first day of this Parliament, or hereafter to be made, knowledged &c. by any gouernours or gouernesses, of any Monasterie, or other religious or ecclesiasticall house or place, which hereafter shall be dissolved, suppressed &c. or come to the King, without the Kings licence vnder his great Seale, of any manors, meases, lands, tenements, or other hereditaments, which the said abbots and other ecclesiasticall gouernours and gouernesses, or any of them, or any of their predecessors, had or held, or haue and hold of the gift, grant, and confirmation of the King, or any of his progenitors, or of the which Monasteries, or Ecclesiasticall houses the King is founder or patron, or which manors, meases or hereditaments, were or be of the auncient foundation or possession of the same Monasteries, Abbathies, or Ecclesiasticall houses or places, shall be utterly void. 31. H. 8. 13.

Assurance of
lands without
the Kings licence

In the same Statute the like puruiew was made in euery respect, to auoid all Leases of lands not vsually let, leases in reuerfion, leases not reseruing the old rent, sales of woods, assurances of lands of the Kings gift, or auncient foundation without the Kings licence, made by any Abbots, or Gouernours of any Religious houses, which were before the making of the said Statute dissolved within one yeare next before the dissolution or comming to the Kings hand of the same houses.

11 But if any Abbot, Prior, Abbess, Prioresse, or other Gouernour, or Gouernesse about said, within one yeare next before the first day of this Parliament, or if any late Gouernour or Gouernesse &c. within one yeare next before any such dissolution or comming to the King of the premisses haue made any demise, lease, or grant, to any person for terme of yeares, of any manors, meases, lands, or other hereditaments aforesaid, which person at the time of the said demise &c. had the same to terme for terme of yeares, then not expired: Then the said person to whom any such demise &c. hath bene so made shall haue the same for terme of xxi. yeares, only from the time of the making of the said demise &c. if so many yeares be by the same demise &c. limited and expessed, or else for so many yeares as in such demise bin expessed, so that the old rent be therupon reserued, and so that the same lease expired not xxi. yeares. And if any Abbot or other late gouernour or gouernesse, within one yeare next before any such dissolution or comming vnto the King of the premisses, haue made any demise, lease, or graunt, to any person or persons for terme of life or liues, of any manors, meases, lands or other hereditaments aforesaid, which person or persons, or any of them, at the time of the said demise, lease, or graunt, had or held the same for terme of life or liues, or for terme of yeares then not expired: Then the said person or persons, to whom any such lease or graunt hath bene so made, shall haue and hold the same for terme of their life, or liues, so that the old rent be thereupon reserued. And all and singular leases and grants made by copie to any person or persons, of any of the said mesuages, lands, tenements &c. or other hereditaments aforesaid, for terme of life or liues, which by the custome of the countrie hath bin vsed to be demised, leiten, or granted by copie of court roll, shall be good and effectual in the law, so that the old rent be reserued by and vpon euery such lease and Leases: This act &c. notwithstanding. 31. H. 8. 13.

Leases made
within the
yeares to the
old lessees.

Lease for life
to the old
lessee.

Grants by
copie.

12 Provided alwayes, that all leases heretofore made of any the premisses, by the authoritie of the Kings court of Augmentations, And all such leases, feoffements, & woodsales made by the said gouernours or gouernesses or any of them, vnder

Monasteries, &c.

Leases allowed
and inrol-
led in the
court of Aug-
mentations.

Assurances to
others by the
licences.

Other mens
titles saved.

All colleges,
chauntries &c.
in the disposi-
tion of H. 8.

der the count or common seal of any of them, within one yeare next before the dis-
solution or coming to the King of the said Monasteries or Ecclesiasticall houses,
which said leases, graunts, feoffements, and woodsales, haue bin examined, inrol-
led, decreed, or affirmed in the Kings Court of Augmentations, And the decrees of
the same put in wryting, sealed with the seale of the said Court, shall be good and
effectuall, according to the same decrees, any clause in this Act &c. notwithstanding.

31. H. 8. 13.

13 All persons their heirs and assigns, which sithence the said fourth day of Fe-
buarie (viz. in An. 27. H. 8.) by licence, pardon, confirmation, release, assent or con-
sent of the King under his great seale heretofore given or made, or hereafter to be had
or made, haue obtained or purchased by indenture, fine, feoffment, recovery, or other-
wise of the said late Abbots, Priors &c. or other Gouernours or Gouernesses, of a-
ny such Monasteries, or other Ecclesiasticall houses, any Monasteries, Priories,
Colledges, hospitals, manors, lands or other hereditaments, shall haue and enjoy
the same according to such wrytings and assurances as been thereof before the first
day of this Parliament, or hereafter shall be had or made. Saving to euery person
and persons and bodies politike, their heirs and successours (other then the said late
Abbots, Abbesses, and the successours of euery of them, and such as pretend to bee
founders, patrons, or donors of the said Monasteries, or any of them, or of any ma-
nors, messuages, or other hereditaments, late belonging to any of them, and the
heires and successours of euery such founder, patron, or donor,) all such right, title,
interest, possession, rents &c. and other profits, which any of them haue, ought or
mought haue had, in, or to any the said Monasteries, or other hereditaments at a-
nie time before any such purchase, indentures, fines, feoffements, recoveries &c.

31. H. 8. 13.

14 An. 37. H. 8. 4. It is enacted, that all Colledges, Freechappels, Chauntries,
Hospitalls, Fraternities, Brotherhoods, Guilds, and Stipendarie Priests made
to haue continuance for ever, that ought to be contributory to the payment of the
first Fruits and Tenths, And all the mansion houses, manors, lands, tenements,
and all other hereditaments, whatsoever they be, appertaining, or that did apper-
taine, or were appointed to any such Colledge &c. or other the said promotions, or
to any of them, or knowne or taken as parcell or member of any of them, and to the
said Colledges &c. or to any of them united (which betweene the iiii. of Februarie,
Anno 27. H. 8. & xxv. Decemb. 37. H. 8.) by reason of anie entrie, expulsion, bar-
gaine, sale, feoffment, fine, recovery, lease, or other conveyance thereof had, or
made be dissolved, relinquished, or extincted (other then such of them as now be or
were in the possession of the King, or that beene graunted or assured by his licence,
consent, Letters patents, to anie other persons, or haue beene lawfully recou-
red by any person, by anie former right, without fraud or couin, or by the Kings
licence) shal from henceforth be adiudged, and also be in the actuall and reall posses-
sion of the King, and of his heirs and successours for ever, in as ample maner as the
said Priests, Wardens, Ministers, Gouernours, Rulers, or anie other Incum-
bents, or anie of them, or the Patrons, Donors, or Founders of them, or of anie
of them, at any time sithence the said iiii. day of Feb. 27. H. 8. enjoyed, or now en-
ioyeth the same, and as though the said Colledges, Chauntries, Hospitalls, Free-
chappels, fraternities, brotherhoods, guilds, and other the said promotions, and the
said manors, lands, tenements, hereditaments, and other the premises, and euery
of them, were in this Act particularly and certainly named by expresse wordes.

37. H. 8. 4.

15 All Colledges, Freechappels, and Chauntries, hauing being, or in Este. with-
in five yeares next before the first day of this Parliament (being the fourth of No-
ember,

umber, Anⁿ Domⁱ 1547. which were not in actuall and reall possession of the late
 37. H. 8. noz of the king that now is (viz. E. 6.) noz excepted in the said former Act of
 37. H. 8. other than such as by the kings commissions shall be transported or chaun-
 ged, and all manors, lands, and other hereditaments, belonging to them, or any of
 them. And also all manors, lands, and other hereditaments, by any manner of assu-
 rance, will, devise, or otherwise suffered, had, made, knowledged, or declared, given,
 or appointed to the finding of any Priest to haue continuance for euer, and where-
 with, or whereby any Priest was maintained or found within v. yerres next befoze
 the first day of this Parliament, which were not in the actuall and reall possession
 of the said late king, noz of the king that now is. Also all annual rents and profits,
 at any time within five yeares next befoze the beginning of this Parliament, im-
 ployed, payed, or bestowed, toward or for the maintenance or finding of any sti-
 pendarie Priest, intended by any act or writing to haue continuance for euer, shall
 immediatly after the feast of Easter next comming (being 1. Aprilis, Anⁿ Domini
 1548.) be adiudged, and also be in the verie actuall and reall possession and seisin
 of the king, his heires and successors for euer, without any office, or other inqui-
 sition thereof to be had or found, and in as ample manner, as the Priests, War-
 dens, Masters, Ministers, Gouernors, Rulers, or other Incumbents of them, or
 any of them, at any time within five yeares next befoze the beginning of this Par-
 liament, had, occupped, or enioyed, or now hath, occuppeth, or enioyeth the same, and
 as though all the said Colledges &c. and the said lands, tenements, hereditaments,
 and other the premises, and euery of them, where in this Act particularly rehear-
 sed by expessed names: But this Act shall not extend to any lands appointed for
 the finding of any Chanterie, or Stipendary Priest, which by any former and good
 title, were lawfully recovered from any such Priest, befoze primo Octobris 37. H. 8.
 which lands were not chargeable to the payment of the perpetuall Tenth. 1. Ed.
 6. 14.

All Colled-
 ges, Chātries
 &c. giuen to &c.
 Edw. 6. 4. No-
 uemb. an. Domⁱ
 1537.

Finding of a
 Priest to con-
 tinue for euer:

Lands reco-
 uered from a
 Priest, or
 Chantrie.

16 Where any lands, tithes, pentions, portions, rents, profits, or other heredi-
 taments, by any assurance, will devise, or otherwise, at any time heretofore made,
 were giuen or appointed for the maintenance or finding of one Priest, or of diuers
 Priests, for terme of certaine yeares yet continuing, and that any Priest hath bin
 maintained or found with the same, or with the profits thereof, within five yeares
 last past: The King from the said Feast of Easter next comming, shall haue in eue-
 ry behalfe, during all such time to come, euerie such things, tenements, heredita-
 ments, and profits, as the Priest or Priests ought or should haue had, for or to-
 ward his or their maintenance, & for no longer time, noz for any other profit there-
 of to be taken. And as soone as the time assigned for the maintenance of the Priest,
 or Priests, shall be expired, then it shall be lawfull to euery person to whom any ma-
 nors, lands, and other hereditaments, should haue belonged (if the said former Act,
 and this Act had neuer bin made) to enter into, and enioy the same, without ante
 Liverie, Ouster le maine, Petition, or other suit to be made to the K. in like maner to
 all intents, as though the said former Act and this Act had neuer been made, and as
 though the king had neuer had any seisin or possession thereof. And the K. shall haue
 all such goods, cattels, iewels, plate, ornaments, and other moueables, as were or be
 the common goods of euerie such Colledge, Chantrie, Free Chappell, or Stipenda-
 rie Priest, belonging or annexed to the furniture or seruice of their severall founda-
 tions, the propertie whereof was not changed befoze 8. of Decemb. Anⁿ Do. 1547.
 And all such debts as should be paid of the goods of any of the said colledges &c. due
 by any contract, specialtie or promise, made befoze the said 8. day, shall be paid by the
 Treasurer of the Court of Augmentations. 1. E. 6. 14.

Finding of a
 Priest for cer-
 taine yerres.

The goods of
 Chantries,
 free Chap-
 pels, &c.

The debts of
 Chantries,
 free Chappels

17 The king his heires and successors, from the said feast of Easter, shall haue
 and enioy for euer, all lands, tenements, rents, and other hereditaments, which by
 any

Antientla-
 ries, obites,
 lamps, lights.

Monasteries, &c.

No reconerie
for default of
obites, lamps,
lights.

Part of the is-
sues of lands
given to the
finding of
obites, &c.

Money given
to the finding
of a priest, ob-
bite, light,
lampe by a
Corporation.

Fraternities,
brotherhoods,
guilds, given
to the king.

any maner of assurance, conueiance, wills, will, devise, or otherwise, at any time heretofore made, suffered, knowledged, or declared, were given, or appointed to go or to be imploied wholly to the finding or maintenance of any anniuersarie or obite, or other like thing, intent, or purpose, or of any light or lamp in any church or chappell, to haue continuance for ever, which hath bene kept or maintained within five yeares next befoze the first day of this Parliament. But it shal not be lawfull to any person, bodie politick or corporat, by reason of any remainder, vse, or condition, to enter into, or challenge any lands, tenements, or hereditaments, for the not doing, not naming, or not finding of any priest or priests, or poore folks, obite, anniuersarie, light or lampe, to be founden or done. 1. E. 6. 14.

18 Where but one part of the issues or revenues of any Lands, or other hereditaments, hath by any of the waies abovesaid, bene given, or appointed to be bestowed to the maintenance of any anniuersarie, or obite, or other like thing, or of any light or lampe in any church or chappell, and to haue continuance for ever: Then the King shall from the said feast of Easter for ever, haue & enioy euerie such summes of money, that in any one yeare, within five yeares next befoze the first day of this Parliament, hath bene bestowed about the maintenance of any such anniuersarie or obite, or other like thing, or of any light or lampe, to him, his heirs and successors for ever, as a rent charge to paid verely at the feast of S. Michaele the Archangell, and the Annunciation of our Ladie, by even portions. And it shall be lawfull to the King, his heirs and successors, for non-payment of any such sum of money, to distraine in the said lands and tenements, of the issues and revenues whereof the said anniuersarie or obite, or other like thing, or any such light or lampe, was maintained, And for lacke of sufficient distresse therein, by the space of one moneth next after that any of the said rents should be paid, and bee not paid within the said moneth: Then it shal be lawfull to the King, his heirs and successors, to enter into, and possesse as much of the lands &c. whereof the said rent should be paid, as the rent that should be paid out of the same shal come to in verely value, and the same &c. to hold and keepe for ever, or for such estate as the King, his heirs & successors, had, or ought to haue had in the said rents. 1. E. 6. 14.

19 The king, his heirs and successors, shall from the said feast of Easter, haue and enioy all such summes of money, profits and commodities, which by vertue of any conueyance, composition, will, devise, or otherwise, heretofore haue bene given or appointed to haue continuance for ever, which in any one yeare, within five yeares next befoze the beginning of this Parliament, hath bene bestowed by any Corporations, Guilds, Fraternities, Companies, or Fellowships of Officers, or any of them, or by the Masters, Wardens, Gouernors, or other Officers, or by the Master &c. of any of them, about the maintenance of any Priest, Anniuersarie, Obite, Lampe, or Light, or other like thing: To be paid verely as a rent charge at the Feasts of S. Michaele, and the Annuciation of our Ladie, by even portions. And it shall be lawfull to the king, his heirs & successors, for non-payment of any such summe of money, profit, or commoditie, to distraine in all manors, lands, and tenements of euery such crafts, corporations, &c. or any of them, by whom, or by the Wardens, Masters, &c. of the which any such summe of money, profit, or commoditie haue bin paid or imploied. And euery of the said sums of money, profits, and commodities, shall from the said Feast of Easter, without any inquisition or office to be found, be adiudged to be in the actual and real possession of the king &c. 1. Ed. 6. 14.

20 The king shall from the feast of Easter haue and enioy to him, his heirs and successors for ever, all Fraternities, Brotherhoods, and Guilds, being within any of his dominions, and all Manors, Lands, Tenements, and other hereditaments belonging to any of them (other than such Corporations, Guilds, Fraternities, Com-

Companies, and Fellowships of Mysteries or Crafts, and the Manors, Lands, Tenements, or other Hereditaments pertaining to them above mentioned:) And the same shall be lodged in the actual and real possession of the king, his heirs and successors, from the said feast of Easter for ever, without any inquisition or office thereof to be found. 1. Ed. 6. 14.

21 This Act shall not extend to any Colledge, Hostell, or Hall, being within either of the Universities of Cambridge and Oxford, nor to any Chauntry founded in any of the Colledges, Hostells, or Halls, being in the same Universities: nor to the Free Chappell of Saint George, situate in the Castle of Windsor: nor to Saint Marie Colledge of Winchester, besides Winchester, of the foundation of Bishop Wickham: nor to the Colledge of Eaton: nor to the Chappell in the Sea in Newton, within the Isle of Elie, in the Countie of Cambridge: nor to any Manors, Lands, Tenements, or Hereditaments, to any of them belonging: nor to any Chappell ordained for the ease of the people, dwelling distant from the Parish Church, or such like Chappell, whereunto more Lands or Tenements, than the Churchyard, or a little House or Close doth belong: nor to any Cathedral Church or Colledge, where a Bishops See is, within England, or in Wales: nor to the Lands, Tenements, or other Hereditaments, of any of them, other than to such Chauntries, Obites, Lights, and Lamps, or any of them, as at any time within five yeares next before the beginning of this parliament, have bene had, used, or maintained, within any of the said Cathedral Churches, or the issues, revenues, or profits of any of the said Cathedral Churches, to which Chauntries, Obites, Lights, and Lamps, this Act shall extend. And the king at any time (during his life) may alter the names of all Chauntries, and the foundations of the same, being in any of the Colledges, Hostells, or Halls, of any of the said Universities. And also may give authority to certaine Commissioners, to alter the nature and condition of all Obites, as well within the Universities of Oxford and Cambridge, as in any other place within England and Wales, being not suppressed ne annihilated by vertue of this Act, And the same Obites so altered, to dispose to a better use, as to the reliefe of poore Students, or otherwise. Neither shall this act be prejudiciall to the generall Incorporation of any Citie, Borough, or Towne, within any the kings dominions: ne shall extend to any the lands or hereditaments of any of them. Neither shall this act prejudice the Lord Cobham, &c. concerning the late Colledge of Cobham in Kent, or the lands thereof. Neither shall it extend to the Chauntry or Colledge of Artilborough in Norfolk, which king Henric the eight gave to the Earle of Suffex and his heirs. 1. Ed. 6. 14.

Colledges & Chauntries within the Universities. Windsor Colledge. Winchester Colledge. Eaton Colledge Chappell in the Sea. Chappell of ease.

Cathedral Church or Chappell.

Incorporations of Cities, Boroughs, &c. Cobham. Artilborough

22 This Act shall not extend to any Lands, or other Hereditaments which the said Pastors, Wardens, Ministers, Chauntry Priests, Incumbents, or other the said Governours or Officers of the premises, have in fee simple, fee taile general or special, for terme of life, terme of yeares, or otherwise of their owne proper uses, by inheritance or purchase, and not being at the time annexed to their said Colledges, free Chappells, Chauntries, or other the premises: nor shall extend to any Manors, Lands, Tenements, Possessions, Rents, Annuities, and yearly pensions, or to any yearly summes of money, being not parcell of any of the said Colledges, and other the premises heretofore given by the said late king, or given or hereafter to be given by the our Soveraigne Lord (viz. Ed. 6.) to any of the said Deanes, Pastors, Wardens, Ministers, Chauntry Priests, Incumbents, Governours, or Rulers of the premises, for term of life only, under the great seale, or other seales. 1. E. 6. 14.

Lands whereof the Governours were seised to their owne uses.

Pensions, rents, summes of money given by the King.

23 Neither shall this Act extend to any lands or other hereditaments, that any Pastor, Deane, Prebendarie, Warden, or Chauntry or Stipendarie priest of a

Cathedral lands.

Monasteries, &c.

ny colledge, or other corporations haue or hold of any person, by copie of court roll, or at will, according to the custome of any Manor, nor giue any copyhold lands to to the R. but euery of y^e said persons shal enioy the same during their liues, towarde their pention & yerely liuing, paying their rents, and doing their customes and seruises thereof due. 1.E.6.14.

Other mens
rights saued.

24 Sauing to all persons, bodies politicke and corporate, their heires and successors (other than the Pastors, Wardens, Ministers, Gouernours, Rulers, Priests, Incumbents, Fellowes and Brethren of the said Colledges, Chauntries, Free Chappells, and other the premisses, giuen to the King by this Act, and the successors of euerie of them, and other than such as bee, or pretend to bee Founders, Patrons, or Donors of the Premises, or any of them, and the heires, successors, and assignes of euerie of them, and other than such as be or were Feoffees, Recouerees, Conusees, Grauntees, or Deuisees, of any of the Premises, to, or for any of the uses aboue mentioned, or to the use of any of the said Colledges, Free Chappells, Chauntries, or other the premisses, giuen by this Act to the king, or to the intent to imploie the rents or profits thereof, to the use of the Pastors, Rulers, Incumbents, or Ministers of any of them, and other than such as pretend to haue estate, right, title, interest, use, possession, or condition, of, in, or to the premises, or any parcell thereof, by reason of any feoffment, fine, bargain and sale, or by any other meanes and conueyance to them made of anie estate of inheritance, without the said late kings licence or agreement, and without the licence or agreement of the king that now is, by any of the said Deanes, Pastors, Wardens, Gouernours, Rulers, Priests, or Incumbents, or by the Founders, Donors, or Patrons of any of them) all such, right, title, claime, possession, interests, rents, annuities, commodities, commons, offices, fers, leases, liueries, liuinges, pentions, portions, debts, duecties, and other profits, which they, or any of them lawfully haue, or of right ought to haue, or might haue had in any of the premises, or in any parcell thereof, in such like maner, to all intents, as if this Act had neuer beene made, and as though the said Chauntries, Colledges, and other the said promotions, had still remained in their full being. And sauing to euerie Patron, Donor, Founder, or Gouernour of any such Colledge, Chauntie, free chappell, Stipendarie Priests, and other the premisses, giuen to the king by this Act, and the Donor, Factor, and giuer of the foresaid Lands, Tenements, and Hereditaments to them, or any of them, or to any uses or purposes befoze mentioned, all such rents seruises, rents secke, rents charge, fees, annuities, profits and offices, and also leases for terme of liues and yeares, whereupon the accustomed rent or moze is reserued, or out of any of them lawfully had and enioyed of any the said promotions, or out of any the said lands, tenements, or hereditaments, befoze the first day of this parliament. 1.E.6.14.

The founder
and donors right
in somethings
saued.

All rents
reserued.

25 Aswell euerie Patron, Donor, Founder, and giuer of any of the said promotions or premisses, or giuer, donor, or feoffor, of any their lands or other hereditaments, as euerie person which befoze the making of this Act lawfully had anie rent or other yerely profits of any chauntries, colledges, free chappells, or other the premisses, or out of any lads or other possessions of any of them, shal enioy the same in like maner as they ought to haue done, if the said colledges &c. or other the premisses had still continued in Effe. 1.E.6.14.

Leases not
referring the
old rent.

26 If any of the said Pastors, Wardens, Ministers, Rulers, Gouernours, priests, incumbents, or owners of any such colledge, chauntie, free chappell, or of any the premisses, giuen to the R. by this Act, sithence 23. Nouemb. in 37. H. 8. haue made any lease vnder their common seale, or otherwise for terme of yeres, liue, or liues, of their said colledges, chauntries, free chappells, or of other the premisses, or of any lands or hereditaments, to any of them annexed or appertaining, vpon the

the which leases the vsuall and old rents and seruices accustomed to be yealden and reserved, or more, by the space of xx. yerres next before the said 22. day of November, be not reserved & yealden, the same shalbe utterly void. And all other leases & grants heretofore made, of any the premises given to the k. by this Act, shalbe as good and effectuell in the law, to all intents, as if this act had neuer bin made: this act or any other act &c. notwithstanding. 1. E. 6. 14.

Other leases confirmed.

27 All such tenths, seruices, issues, profits, and other summes of money, payable out of, or for the premises in the Erchequer, shall continue, & be yerely paid in the same Court, in the same maner, as heretofore hath bin used: any law, custome, vniuersitie of possession in the king, or other thing &c. notwithstanding, and as though the said promotions, lands, and other the premises, had not come to the k. hands. 1. E. 6. 14.

Tenths and other duties payable as in former time.

28 All Letters Patents made by King Henrie the eight, or by the King that now is, or hereafter to be made by his highnesse to any person or persons, or to any Archbishop or Bishop of any of the said Colledges, Chauntries, free Chappels, or other the premises, or any parcell of them, or of any lands, tenements, or hereditaments belonging, or that did belong to any of them, and all fines, gifts, grants, feoffments, recoveries, and all other assurances thereof made, by the consent or licence (under the great Seale of England) of the said late King Henry the eight, or of the k. that now is, to any person or persons, bodies politicke or corporate, by any chauntry Priest, Waster, Warden, Minister, Ruler, Gouernour, or other, hauing any of the said Promotions of any of the said Colledges, Chauntries, free Chappels, or other the premises, or of any part of the same, shall stand in their forces, and shall be good and effectuell in the Law for such Estates and interests, given or appointed in any of the gifts or conueyances thereof made, according to their purports, force, and matter, and according to the true meaning of the same assurances, and shall be good and auailable, as well against the King, his heires and successors, as against the said chauntry Priests, Wardens, Wasters, Rulers, Gouernours, and other, hauing any of the said promotions, and their successors, as also against the Founders, Donors, and Patrons of the same, and the Ordinaries of them, & their heires and successors of euery of them: any law, stat. 3r. notwithstanding. 1. E. 6. 14.

Assurances made by the king, or by his licence.

29 All Gifts and Grants heretofore made, to the said king Henrie the eight, and to his heires, or to the king that now is, and to his heires, by any Archbishop, Bishop, Deane, Archdeacon, Treasurer, Prebendarie, Waster, Prior, Gouernour, or other Spirituall person, or by any Patron, Donor, or founder of any of the said deaneries, chaunteries, or other of the said Spirituall Promotions, of all or any of the Manors, Lands, or other Hereditaments or commodities, to any of the said Benefices, Offices, Prebends, or Dignities belonging or annexed, or which any of the said Archbishops, Bishops, Deanes, Archdeacons, Treasurers, Wasters, Priors, Prebendaries, Rulers, Gouernours, or Ministers, Patrons, Founders, or Donors, had, haue, or ought to haue in their right, or by reason of any of the same Offices and Dignities, shalbe good and effectuell in the law to all intents: Sauing to euery person &c. (other than the Archbishops, Bishops, Deanes, Archdeacons, Treasurers, Prebendaries, Rulers, Gouernours, Wardens, Priors, Givers or Grantors of any of the Premises, and their heires, Successors, and Assignes, And other than such Ecclesiasticall persons, bodies politicke or corporate, as are, or pretend to bee Founders, Donors, Patrons, or Ordinaries of the premises) all such Rights, Titles, Interests, claims, Entries, Rents, Remainders, Reversions, Fees, Offices, Annuities, Profits, Lands, Tenements, and Hereditaments, as any of them haue, or should, or ought to haue had, of, in, or to any of the Premises next aboue mentioned, as if this Act

A confirmatio of all grants made to the k. of spirituall livings.

Other mens rights saved.

Monasteries, &c.

Parson, vicar.

had not been made. But this Act shall not extend to make good any Gift, Grant, Sale, or Alienation made by any Parson or Vicar, of the Parsonages, or Vicarages, or of any percell thereof, or of any thing to any of them belonging. 1. Edw. 6. 14.

A confirmatio
of letters pa-
tents made by
H. 8. and
H. 6. 6.

30 All Grants, Licences, Confirmations, and Letters Patents, which king Henric the eight, or the King that now is, haue made vnder the great Seale of England, to any person or persons, or bodie Politique or Corporat, of any Colledge, Chappell, or Chauntrie, now being in Esse, or not, or of any Lands, Tenements, and Hereditaments, appertaining to any of them, or of any other thing expresse, contained, or mentioned in any such Grant, Licence, Confirmation: or Letters Patens, shall be aduinged good and effectuell in the Law according to the words, sentences, meanings, sozine, and effect of the same Grants, &c. to all intents, as if this act, and the said act made 37. Hen. 8. had neuer beene made. And this Act, and the said Act made 37. Hen. 8. or any Article, Sentence, or other thing therein contained, shall not extend to any Colledges, Chappells, Chauntries, or other things mentioned in this Act, now being in Esse, or not, or to any Lands, Tenements, or Hereditaments, appertaining to any of them, or to any other thing expresse in this Act, which any person, bodie Politique or Corporate, haue obtained, by the assent, licence, confirmation, grant, or Letters Patents, of the said late king, or of the king that now is: so that extend to any lands, tenements, hereditaments, or other things contained in any such letters patents, &c. but euerie such person &c. shall haue and enioy the same Colledges, &c. lands, &c. and euery other thing whatsoever, so by them obtained, according to the words and intent of the same licences, confirmations, grants, and letters patents: This Act, or the said Act made 37. H. 8. or any clause or thing contained in any of the same Acts &c. notwithstanding. 1. Ed. 6. 14.

This exten-
deth not to
lands granted
by the King.

The lands of
S. Johns gi-
uen to the R.

31 Anno 32. H. 8. 24. It was enacted, That the Copozation of the Religion of S. Johns of Jerusalem in England and Ireland, should bee utterly dissolved, and void to all intents. And that the King should haue and enioy all Hospitalls, and Hospitall Churches, Castles, Honor, Honor, Lands, Tenements, Rents, Reuerfions, Services, Woods, Meadowes, Pastures, Parkes, Warrens, Liberties, Franchises, Priuiledges, Parsonages, Tithes, Portions, knight fees, Adouofions, Commaundries, Preceptories, Contributions, Responfions, Titles, Entries, Conditions, Couenants, and all other possessions and Hereditaments, lying within England, Ireland, or other the kings Dominions, which appertaine to the said Religion, or to the Priors, Masters, Gouernors, Knights, or other Ministers professed, of, or in the same, by the pretence, or in the right of the said Religion: And all and singular goods, cattells, debts, arrearages of rents and farmes, and all other things reall and personall, whatsoever they bee, whereof, or whereunto the said Priors, Brethren, or Confriers, or persons professed in the said Religion, can haue, or claime any particular propertie to their owne proper vse, by the Rules and Statutes of the said Religion: To haue and to hold to the said king his heirs and successors for euer, to vse & employ by his discretion at his owne pleasure. And that the said King should be deemed in the actual and reall possession of the premises. Hauiing to all persons and bodie politique, their heirs and successors (other than the said Priors, and the Brethren and Confriers of euery of them, and the successors of euery of them, and all and euery other person or persons of the said Religion, and their successors) all such Right, Titles, Interest, possession, leases, Grants, Annuities, Fees, Offices, Corrodies, Reuerfions, Rents, and Services, Rent charges, Commons, Rights, Tithes, Actions, Petitions, Portions, and all other Hereditaments, which they should or ought to haue had, if this act had neuer bin made.

Other mens
right laued:

32 As well the Qu. Maistie, her heires and successors as also all and every o^r ther person and persons, bodie politique and corporat, their heires, successors, and assigns, now having, o^r that hereafter shall have any of the Scites of the late Monasteries o^r other Religious o^r Ecclesiasticall Houses, o^r Places, and the Panoys, Gaunges, Prestuages, Lands, Tenements, Tithes, &c. and other Possessions and Hereditaments of the said late Monasteries, Abbeyes, Priories, Pinneries, Commandries, Deaneries, Colledges, Prebends, Hospitals, Houses of Friers, Rectories, Vicarages, Chauntries, Churches, Chappels, Archbishopsricks, Bishopricks and other Religious and Ecclesiasticall Houses, o^r late belonging, o^r appointed, to, and for the finding of Priests, Duties, Lights, o^r other like purpose, o^r any of them, which came to the hands of the late K. Hen. 8. by Dissolution, Gift, Grant, Surrender, Attainder, o^r otherwise, o^r to the hands of K. Ed. 6. by vertue of the foresaid Act made 1. Ed. 6. o^r otherwise, o^r to the hands and possessions of o^r ther persons &c. by sundrie meanes and assurances, shall have, keepe, and enioy all and everie the said Scites, Lands, Tenements, and other Hereditaments, according to such Estates, as everie of them now have, o^r hereafter shall have in the same by the due course of the Lawes and Statutes of this Realme, now in force. And everie Article, Clause, Sentence, and Provision, contained in any Act o^r Acts of Parliament, concerning the assurance of the said Monasteries, Priories, Colledges, Chauntries, &c. and other Religious and Ecclesiasticall Houses and Places, o^r in any wise concerning any Panoys, Lands, &c. o^r other things before specified to the said King H. 8. o^r K. Ed. 6. o^r any other person o^r persons, o^r bodie Politique o^r Corporat, and every Writing, Deed, and Instrument, concerning the assurance of any of the same, shall remaine in force, and be pleaded and taken advantage of, to all intents, as the same might o^r could have beene by the Lawes and Statutes of this Realme. And all Feoffements, Fines, Surrenders, Forfeitures, Conveyances, and Interests in any wise conveyed o^r made to K. H. 8. o^r to K. Ed. 6. o^r either of them, o^r to any other person, body Politique o^r Corporat, by Deed, o^r Act of Parliament, o^r otherwise, of any the Scites, Panoys, Lands, &c. o^r Hereditaments of the said Archbishops, Bishops, Monasteries, Priories, &c. o^r of any Panoys, Lands, &c. o^r any other Hereditaments, of, by, o^r from any Ecclesiasticall person o^r persons, o^r by, o^r from any Spirituall o^r Ecclesiasticall corporation, o^r bodie politique, shall be good and available in the Law to all intents, and shall be pleaded and taken advantage of. And everie clause and article of Saving, contained in everie of the said Statutes, shall remaine, in such force and effect, as they were before the first day of the Parliament holden, 1. & 2. P. & M. any thing contained in the Act then made (repealing all Statutes, Articles and Provisions made against the See of Rome, since the xx. yeare of K. H. 8.) in any wise notwithstanding. And whosoever shall by processe obtained out of any Ecclesiasticall Court within this Realme o^r without, o^r by pretence of any Spirituall Jurisdiction, o^r otherwise, contrarie to the lawes of this Realme, molest any person, o^r bodie politique, for any of the lands, tenements, hereditaments, o^r other things above specified, contrarie to the words, sentence, and meaning of this Act, shall incurre the danger of the Act of Praemunire, made 16. R. 2. and shall suffer and incurre the forfeitures and paines contained in the same. 1. & 2. P. & M. 8. 1. El. 1.

33 If any person o^r persons being Farmer o^r Occupier of any Panoys, Lands, Tenements, Parsonages, Benefices, o^r other Hereditaments, of any of the late Monasteries o^r Ecclesiasticall houses o^r places belonging to them, o^r any of them, by the Kings gift, grant, sale, exchange, o^r otherwise, out of which premises any portions, pensions, corrodies, indemnities, annuities, o^r priories, o^r any other profits have been heretofore lawfully going out, answered, o^r paid, to any of the Archbishops, Bishops, Archdeacons, o^r other Ecclesiasticall persons of the Provinces of

A confirmati-
on of all Ab-
bies, Chaun-
tries, & lands
to the Queen
and other per-
sons.

Pensions due
out of Abbey
lands.

Monasteries, &c.

of Canterburie or Poſke, do at any time wilfully denie the payment thereof, at the daies of payment heretofore accuſtomed of any of the ſaid pentionſ, poztions, cozrodies, indemnities, ſynobals, pzories, or any other pzofits, whereof the ſaid Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſtical perſons were in poſſeſſion, at or within .v. yerſes next befoze the diſſolution of any ſuch Monasteries, or other Eccleſiaſtical houſes or places: Then it ſhal be lawfull for the ſame Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſtical perſons, being ſo denied to be ſatiſfied and paid thereof, and hauing right to the ſame thing in demand, to make ſuch pzocelle as well againſt euerie ſuch perſon and perſons, as ſhall denie payment of the ſame pentionſ, poztions, &c. or any other pzofits, which of right ought to be paid, as afozeſaid, as againſt the Church and Churches, charged with the ſame, as heretofore they haue lawfully done, and as, by, and according to the Lawes and Stat. of this Realme, they may now lawfully do for the true payment and recouerie thereof. And if the partie defendant be lawfully conuict in any ſuch ſuit, cauſe, or matter, according to the Eccleſiaſtical Lawes: then the plaintife ſhall recouer againſt the defendant the thing in demand, and the value thereof in damages, with his coſts for his ſuit. 34.H.8.19.

**Suit at the
Common Law**

34 If it ſortune the cauſe or matter of variance betweene any of the ſaid parties be determinable at the Common Law, then the partie grieved to ſue for his recouerie and remedie therein at the Common Law: And if the defendant ſhall be by the courſe of the Common Law, lawfully condemned to the partie plaintife, then the ſaid plaintife ſhall likewise haue and recouer againſt the partie defendant the thing in demand, and the value thereof in damages, with his coſts for his ſuit. 34.H.8.19.

**The R. granting to diſcharge the
partie.**

35 All and ſingular ſuch of the ſaid Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſtical perſons, which haue right or title to claime, demaund, or enioy any of the ſaid Pentionſ, Poztions, Cozrodies, Indemnities, Synobals, or Pzories, againſt any perſon or perſons, to whom the King hath made, or hereafter ſhal make in writing vnder Seale, any Sale, Gift, Graunt, or Leaſe, for terme of life, or lines, or yeares, of any of the ſaid Panozs, Lands, Tenements, Parſonages, Benefices, or Hereditaments, charged, or chargeable to or with any of the ſaid Pentionſ, Poztions, or &c. and alſo hath conenanted, granted, pzomiſed, or agreed, or hereafter ſhall conenant, grant, pzomiſe, or agree, by the ſaid writing, to acquite, diſcharge, or ſaue harmeleſſe the ſame perſon or perſons, of all pentionſ, poztions, cozrodies, indemnities, ſynobals, and pzories going out of the pzemiſſes or any parcel thereof, as be, or ſhalbe mentioned in the ſame writings, or any of them, ſhall ſue for their remedie and recouerie thereof in the Court of Augmentations, and not elſewhere: And the partie defendant hauing any ſuch diſcharge, being conuented, called, or ſued in any other Court, or place, or befoze any other Judge, for any the cauſes abouſaid, ſhalbe diſcharged & diſmiſſed out of the ſame court, or place, without any thing paying for the ſame, by the onely ſhewing forth of the ſaid writings ſealed vnder any of the Kings ſeales, pzouing or declaring the King to haue conenanted, pzomiſed, or agreed to acquite, diſcharge, or ſaue harmeleſſe the ſaid partie defendant thereof, as is afozeſaid. Any thing in this Act contained notwithstanding. 34.H.8.19.

1 Religious perſons profeſſed, inabled to inherite, purchaſe, ſue, and to be ſued. S. Abilitie 3.

2 Thoſe Abbey lands, which were diſcharged of Tythes, ſhall ſo remaine. See Tythes 40.

3 All Religious houſes ſhal be within the viſitation of the Ordinarie, within whole Dioces they are ſituate. S. Ordinarie 3.

4 For the Tenthſe reſerued vpon Abbey Lands, and the remedie for recouerie of

of them. S.Tenches

For Tenures reserved vpon Abbey lands. 4. 5.

Money.

If any person or persons exchange any coyned Gold, coyned Siluer, or Money, giuing, paying, or receiuing any moze in value, benefit, or aduantage for it, then the same is, or shall be declared by the K. proclamation to be currant for, within this Realme, or other his Graces dominions: Then the same coyned gold, siluer, and money shall be forf. to the K. and J. that will seise or sue for the same, to be recovered by A.B.P. &c. wherein no W.C.P. &c. and the partie so offending, shall suffer imprisonment by the space of a yeaere, and also make fine at the Kings pleasure. 25.E.3.12. 5.E.6.19.

Giuing or receiving for money more then it is currant.

2 If any person inhabiting within this Realme, doth pay, or wittingly deliuer by way of exchange or otherwise, to any merchant or other person bozne out of the Kings obeylance, for any merchandize, wares, or in any otherwise, any pieces of gold coyned in this Realme, or any other Realme, or any plate, vessels, masse, bullion, or Jewell of gold, wrought or vnwrought, he shall forf. the double summe or value of all such money, gold, plate, &c. to the K. and J. that will seise or sue for the same, by A.B. &c. after the custome of the Citie, Port, or Towne, where it shall happen any forfeiture to fall, or by information in the Exchequer, wherein no P.C. &c. 4.H.7.23.

Paying of gold to a merchant Alien.

3 Whosoever doth send or carrie out of the Realme of England, any gold, or siluer in money, bullion, plate, or vessel, without the Kings licence (sauiug for his resonable expences 2.H. 4. 5.) shall forf. the value of the same so caried forth. 9. Edw. 3. 1. 5.R. 2. 2. except ransomes for fines of English prisoners taken beyond the sea, and the money that Souldiers shall carrie with them for their resonable costs, and money for hores, oren, sheepe, and other things bought in Scotland, to be brought and caried to the parts adioyning: So that the money to be sent for the fines of the said prisoners, or to be caried by the Souldiers, bee not done without the Kings licence. 2.Hen. 6. 6. And he which is vpon his passage in any ship or vessel, for to goe out of any Port, Haven, or Creeke, shall immediately confesse and declare, after warning to him giuen by the Kings Searcher, what gold or siluer in coine or masse he hath with him for his expences, or else that money so concealed shall be also forf. to the King. 2. Hen. 4. 5. See Customes 11. Merchants 9.

Transporting of gold or siluer.

4 No person shall carrie or conuey, or cause to be caried out of this Realme, any bullion, plate, or coine of gold or siluer into Ireland, aboue the summe of vij. s. viij. d. nor conuey any such bullion, plate, or coine, into any ship, boat, or other vessels, vpon paine of forfeiture of the said bullion, plate, or coine, and of imprisonment, and fine at the Kings pleasure. 19.H. 7. 5.

Money caried into Ireland.

5 No person shall bring or conuey, nor cause to be brought any coine, of gold or siluer, aboue the summe of iij. s. iij. d. of the coine of Ireland into this realme, vpon paine to forf. all the said coine aboue iij. s. iij. d. and to haue imprisonment, and make fine at the K. pleasure. And it is lawfull to any of the K. subiects, to seise the Irish money brought into this Realme, & to bring yt into the K. Mint, and there he shall haue the value of halfe such money deliuered to him, to his owne vse, by the Master of the Mint. 19.H. 7. 5.

Irish money brought into England.

6 Whosoever in buying and selling, will presume to refuse a halfe penie, or farthing, being of lawfull mettall, and hauing the forme and fashion which it ought to haue, shall be taken as a contemner of the K. Maestie, shall be thrust in prison, and set vpon the pillorie. 12.H. 3.

Refusing small money.

Mortdauncester. Mortmaine.

7 No sterling halfe penny, or farthing, no groat, or halfe groat, shalbe molten by any person to make vessell, or other thing thereof, vpon paine of forf. of the money so molten, and imprisonment untill he hath paid the R . the one halfe of that he hath so molten. 9.E.3.3. 17.R.2.1.

8 Plate of gold and siluer shall be receiued into the R . Mint by weight, and so shall the money be returned, and not be number. 25.E.3.10.

1 For the forging, clipping, washing, scaling, or bringing in of any forged money. S. Treason 1.2.3.4.5.6.

Mortdauncester.

If a man doe die, and haue diuers heires, whereof one is sonne or daughter, by other or sister, nephew or neece, and the other be further in degree, all the heires shall haue their reuerie by writ of Mortdauncester. Gloucest. 6.E.1.6.

1 Where damages shall be recovered in Mortdauncester. S. Damages 12.

2 Mortdauncester for the heire being wrongfully kept or put out of his inheritance by the chiefe Lord. S. Wards 9.

Mortmaine.

Lands purchased in Mortmaine.

Assurances of lands to bles in Mortmaine.

The chiefe Lord may enter vpon alienation in Mortmaine.

The R . entry.

Lands impleaded to a church, pard. or given to a Guild.

If any Religious person, or other person whatsoever, will buy or sell any lands, or tenements, or will receive the same by colour of any gift or lease or by reason of any other title, whatsoever, or wil by other practise, or deuise, procure the same to himselfe, whereby such lands or tenements may come into Mortmaine, he shal forf. the same lands. Magna Charta 9.H.3.37.7.E.1. And if any Religious, or other Spirituall person doth take the profit of any lands, tenements, fees, advowsons, or of any maner of possessions, whereof any other is seised by feoffment, or any other way to his vse, to the intent to amovte the same, he shall forf. the same according to the forme of the foresaid Stat. 15.R.2.5.

2 It is lawfull for the R . or any other chiefe Lord of the fee immediate, to enter into the land so aliened within a yeare after the alienation, and to hold in fee as his owne inheritance: And if the chiefe Lord be negligent, and will not enter into his fee within the yeare, then it is lawfull to the next immediate Lord of the same fee, to enter vpon the same fee within halfe a yeare then next following, and to hold it as aforesaid: And so every chiefe Lord immediate may enter vpon the same, if the next immediate Lord be slacke in so doing. And if all the chiefe Lords of such fees, being of full age, within the foure Seas, and out of prison, be negligent or slacke in their entrie, by the space of a yeare and a halfe, the R . may take the same lands or tenements into his hands immediately after the yeares end that such purchases, gifts, or appropriations shalbe made, and shall enfeoffe some other therein, by certaine seruices to be done to him for the defence of the Realme: saving to the chiefe Lord of the fees their wards, Ccheats, and other seruices, thereunto due and accustomed. 7.E.1.

3 If any Religious person, Vicar, or other Spirituall person, do enter into any lands or tenements which be adiopning to his Church, and of the same lands, by sufferance and assent of the tenants, doth make a Churchyard and buriall place for his parish, without the licence of the R . and the chiefe Lord of the fee, it is Mortmaine, and he is within the compasse of the foresaid Stat. And so is it of all Lands, tenements, and other possessions purchased to the vse of any Guilds Fraternities. 15.R.2.

4 If any Mayo, Bailife, and commons of any Citie, borough, or towne, which hath

hath a perpetual Comminaltie, or other which hath an office perpetuall, doe purchase to them and their Commons, or to them or their office, or if any other doe purchase to their use, and they thereof take the profits, it is Mortmaine, and they are within the danger of the foresaid statute of 7.E.1.15.R.2.5.

5 If a Religious Ecclesiasticall person doe impleade any other, and the partie impleaded maketh default, whereby he ought to loose the land, it shall be inquired by the countrey, whether the demandant had right in the thing he demanded or no: And if it be found that the demandant hath right, iudgement shall passe with him, and he shall recouer seisin. And if he hath no right, the land shall accrue to the next Lord of the fee, if he demand it within a yere after the enquest taken. And if he doth not demand it within a yere, it shall accrue to the next Lord above, if hee demand it within a halfe yere, after the same yere. And so every Lord after the next Lord immediate, shall haue halfe a yere to demand it successively, untill it come to the King, to whom through the default of other Lords the land shall accrue. And after iudgement giuen, the Land shall remaine in the Kings hand, untill it be deraigned by the demandant, or some other chiefe Lord. And euery chiefe Lord of the fee shall be admitted to challenge the Jurors of the Enquests, and every one that wil, may challenge them for the King. W.2. 13 E.1.31.S.Challenge 12.

6 All feoffements, fines, recoveries, wills, and other estates and assurances, devised, couenanted, ordained, or in any wise made of trust, of any manors, lands, tenements, or hereditaments, to the use of any parish churches, chappels churchwardens, guilds, fraternities, or brotherhoods, erected or made of deuotion, or by common assent of the people, without any corporation, or to the uses & intents to haue obites perpetuall, or a continuall service of a Priest for ever, or for 60. or 80. yeares, found of the profits of the same lands &c. or that the feoffees, conuisees, recoveries, or other persons, & their heires thereof seised shall take, leuie, or perceiue, or cause, or suffer to be taken, leuied, or perceiued, the issues & profits thereof, and the same dispose or otherwise employ, or suffer or cause to be paid, disposed, or employed to any of the foresaid uses, or to any of the like uses, shall be utterly void. 23.H.8.10.

7 But it is lawfull to euery person, being seised of any manors, lands, tene-
ments, or hereditaments, to his owne proper use, or hauing feoffees, recoveries, or conuisees to his use, to make, ordaine, or deuise, or cause to be made, &c. any of the uses, intents, or purposes, aboue specified, in such manner as they might haue done before the making of this Act, so that no such uses, &c. be made or appointed to endure by any craft, words, or other meanes aboue the terme of xx. yeares, next after the first making and beginning of any such uses &c. 23.H.8.10.

8 If any person or persons in defraud of this Stat. doth bind or ordaine any of their heires or successors, or any other persons, that they shall suffer such uses, intents, or purposes, to continue contrarie to this Stat. upon paine of losse of any other lands, or of any other thing, or doe deuise by any colour, craft, or meanes, any thing to make such uses, declared contrarie to the meaning of this Act, to continue for any longer time then is aboue limited for the same: When euery such perpetuallie, craft, colour, and euery other thing, that is made or deuised in defraud of this Act, shall be utterly void: for this Stat. shall be interpreted as beneficially as may be, to the destruction and utter auoiding of the uses aboue remembred, and of all other like (other then such as are before expressed.) 23.H.8.10.

9 But this Act is not preiudiciall to the custome of any Citie or Towne corporation, where, by the ancient customes they haue authoritie to deuise their Lands &c. within the same Citie or Townes into Mortmaine. Neither shall it be preiudiciall to the deuises made by the executors of the wills of R. Hannis, and J. Terre of the Citie of Norwich, &c. 23.H.8.10.

10 But

Lands purchased to the use of a Corporation.

Mortmaine upon recovery by default.

Challenge.

Assurance of lands to churches, &c.

Assurance of lands or Churches, &c. for xx. yeares.

Collateral assurances in defrauding of this Stat.

Customes in cities to deuise in Mortmain.

Mortmaine.

Mortuarie.

Lands given
for the main-
tenance of hou-
ses of correcti-
on, or of poore
peoples stocks

10 But notwithstanding any of the foresaid Statutes, or any other Stat. law, or custome, it is lawfull for everie person which is seized of any manors, lands, tenements, or other hereditaments, in fee simple, in possession, reuerſion, or remainder, holden in free socage of the Qu. or any other person or bodie politique in his owne right, and to his owne vse, for and during the space of twentie yeares (to be accompted from the eight of Feb. An. Dom. 1575.) to make feoffements, grants, or any other assurances, or by his last will in writing to give and bequeath in fee simple, all or any part of the said lands, tenements, or hereditaments, to any body politique or corporat, and their successors, now erected, or hereafter to be erected, or to any person or persons, and their heires, to and for the provision, sustentation, or maintenance of any of the houses of correction, or abiding houses provided for certaine offenders, or of any stocks or stores for poore people, without any licence of Mortmaine therein to be obtained, or any writ of Ad quod damnum, to be sued out for the same. But the rents and services due to the Qu. and other chiefe Lords of the fee, going out of the same Lands, shall be to them saved and reserved. 18. El. 3. 35. El. 7. to continue till the end of the next Parliament now next ensuing. And it shall be lawfull for everie person, for and during the space of xx. yerres next ensuing, (viz. from 10. Aprilis Anno Dom. 1593.) to make feoffement, grants, or any other assurances, or by last will in writing, to give and bequeath in fee simple, as well to the vse of the poore, as for the provision, sustentation, or maintenance of any house of correction, or abiding houses, or of any stocks or stores, all or any part of such his lands, tenements, and hereditaments, and in such maner and forme, as he might have done, to, and for the provision, sustentation, or maintenance of any houses of correction, or abiding houses, or of any stocks or stores, by force of the Statute of 18. El. 3. 35. El. 7. Quere.

S. 18. Ed. 3. pro Clero.

Mortmaine by erecting of Crosses 13. Ed. 1. 33.

Mortuaries.

But one
Mortuarie
for any person
and that but
in accustomed
place.

No Mortua-
rie where the
goods be un-
der 1. markes.
The dutie for
all Mortu-
aries.

N^O Mortuarie or Coſe present, shall be given or demanded of any person, but onely in such place, where heretofore Mortuaries have bene used to be paid and given: No person shall pay Mortuaries in more places then one, that is to say, in the place of his most dwelling, and habitation, and there but one Mortuarie. 21. H. 8. 6.

2 No Mortuarie shall be taken or demanded of any person whatsoever he be, which at the time of his death hath in moveable goods, under the value of 1. markes. 21. H. 8. 6.

3 No Parson, Vicar, Curat, or other Spirituall person, nor any of their Farmers, Bailifes, or Lessees, shall for any person dying or dead, and being at the time of his death of the value in moveable goods of tenne Markes or more, above his debts paid, and under the summe of xxx. l. take for a Mortuarie above thre shillings foure pence in the whole. And for a person being at the time of his death or the value of xxx. l. above his debt paid in moveable goods, and under the value of xl. l. there shall no more be taken for a Mortuarie then fire shillings eight pence in the whole. And for a person having at the time of his death of the value in moveable goods of fortie pounds or above, to any summe, above his debts paid, there shall no more be taken for a Mortuarie then tenne shillings in the whole. 21. H. 8. 6.

These shall
pay no Mor-
tuaries.

4 No Parson, Vicar, Curat, or other, shall take, demand, or aske, any Mortuarie or other thing by way of Mortuarie, for any woman being covert by ron, nor for any child, or any person nor keeping house, nor also for any wayfaring man,

man, or other that maketh not residence in the place where they shall happen to die. But the Mortuarie of such wayfaring persons shall be answerable (in places where Mortuaries be accustomed to be paid, and in maner, forme, and rate before mentioned, and none otherwise) in the places where such wayfaring persons, at the time of their death, had their most habitation, house, and dwelling places, and no where else. 21. H. 8. 6.

5 No Mortuaries nor Cozse presents, nor any summe of money or other thing for them, shall be demanded or had in the parts of Wales, nor in the Marches of the same, nor in the towne of Berwicke, nor Marches of the same, but onely in such places where Mortuaries have beene accustomed to be paid: Neither shall any Mortuaries nor cozse present, nor any thing for them be demanded or had in those places, but onely after the order and maner above specified, and none otherwise, nor of any other person than above is limited. But it is lawfull to the Bishops of Bangor, Landaffe, Saint David, and Saint Asse, and likewise to the Archdeacon of Chesser, to take such Mortuaries of the Priests within their dioces and jurisdictions, as heretofore have beene accustomed. 21. H. 8. 6.

Mortuaries in Wales, Berwicke, & the Marches of them.

6 No person shall be compelled in such places (where mortuaries have beene accustomed to be taken, of lesse value than is aforesaid) to pay any other mortuaries, or more for any mortuarie than hath bin accustomed: Nor any mortuarie shall be demanded, taken, or had, in such place, of any person or persons exempt by this act, nor contrarie to this act. 21. H. 8. 6.

Mortuaries of lesse value by custome.

7 If any Parson, Vicar, Curat, or other Spirituall person, or their Farmers, Bailiffs, or Lessors, do take, receive, or demand, of any person within this realme, for any person dying within the same, any mortuarie or cozse present, or any summe of money, or any other thing for the same, more than is before mentioned, or doe consent, or call any person or persons before any Judge Spirituall, for the recoverie of any such mortuaries or cozse presents, or any other thing for the same, more than is before mentioned, he shall forfeit for every time so demanding, receiving, taking, consenting, or calling, &c. so much in value, as he shall take above the summe before limited, and also xl. s. to the partie grieved, contrarie to this Act, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. But it is lawfull for any Spirituall person to take any summe of money, or other thing, which by any person dying shall be given or bequeathed to him, or to the high altar of the church. 21. H. 8. 6.

The for. for demanding more then his due.

A legacie given to a Spirituall person.

1 Where Mortuaries be demanded in a Spirituall Court, the Kings prohibition doth not lie. S. Prohibition 1.

2 Fraudulent deeds to defeat other of their Mortuaries be void. S. Fraudulent &c. 1.

Multiplication.

None from henceforth shall use to multiplie gold or silver, nor use the craft of multiplication, and if any the same doe, he shall incurre the paine of felonie in this case. 5. H. 4. 4.

Murder and Manslaughter.

If any person be murdered or slaine in the day, and the murderer escape untaken, the Towneship where the said deed is done shall be amerced for the said escape. 3. H. 7. 1.

Escape of a Murderer.

2 If any man be slaine or murdered, and the sears, murderers, abettors, maintainers, and comforters of the same be indicted therofore, the same sears and murderers, shall be hanged at the gallies.

Murderers and abettors hanged at the gallies.

Murder and Manslaughter.

murderers, and also other accessaries of the same, shall be arraigned and determined of the same felonie and murder at any time at the *h.* suit, within the yeare after the same felonie and murder done, and not to tarie the yere and day for any appeale to be taken for the same felonie or murder. 3.H.7.1.

*Arraignement of him, which is acquitted at the *h.* suit.*

3 If any person so named as principall or accessarie, be acquitted of any such murder at the *h.* suit within the yeare and day, then the Justices befoze whom he is acquitted, shall not suffer him to goe at large, but either shall remit him againe to prison, or else let him to baile after their discretion, till the yeare and day be passed. And if the same felons, murderers, and accessaries, or any of them so arraigned, be acquitted, or the principall of the said felonie, or any of them, be attainted, The wife, or next heire to him so slaine, as case shall require, may take their appeale of the same death and murder, within the yeare and day after the same felonie and murder done, against the said person so arraigned and acquit, and all other their accessaries, or against the accessaries of the said principall, or any of them so attainted, or against the said principals so attainted, if they be then living, and the benefit of the Clergie thereof befoze not had. And the Appellant shall have such advantages, as if the said acquittal and attainer had not bene, the said acquittal or attainer notwithstanding. 3.H.7.1.

Within what time, & befoze whom, appeal of murder shall be commenced

4 The wife or heire of the person so slaine or murdered, as case shall require, may commence their appeale in proper person, at any time within the yeare after the felonie done, befoze the Shirefe & Coroners of the Countie where the said felonie and murder was done, or befoze the *h.* in his Bench, or Justices of gaole delivrie. 3.H.7.1.

Poysoning.

5 All wilfull killing by poysoning of any person, is wilfull murder of malice prepensed, and the offenders, their aidors, abettors, procurors, and counsellors, shall suffer death, and for. as in cases of wilfull murder of malice prepensed. 1.Ed.6.12.

Misfortune.

6 It shall not be adjudged Murder, where an act is done by misfortune: But Murder shall be intended of them which be feloniously slaine. Marlb. 52. Hen. 6. c. 12.

Stabbing to death.

7 Every person or persons, which shall stab or thrust any person or persons that hath not then any weapon drawn, or that hath not then first stricken the partie which shall so stabbe, or thrust, so as the same person or persons so stabbed or thrust, shall thereof die within the space of six moneths then next following, although it cannot be proved that the same was done of malice sozethought: yet the partie so offending, and being thereof convicted by verdict of twelve men, confession, or otherwise, according to the lawes of this Realme, shall be excluded from the benefit of his or their Clergie, and suffer death as in case of wilfull Murder. 1.Iac.8.

Se defendendo: Misfortune.

8 Provided alwaies, that this Act shall not extend to any person or persons, which shall kill any person or persons, se defendendo, or by misfortune, or in any other maner, than as is aforesaid, nor shall extend to any person or persons, which in keeping and preserving the peace, shall chaunce to commit manslaughter, so as the said manslaughter be not committed willingly and of purpose, vnder pretext & colour of keeping the peace: Nor shall extend to any person or persons which in chastening or correcting his child or servant, shall besides his or their intent or purpose, chaunce to commit manslaughter. 1.Iac.8. To continue until the end of the first Session of the next Parliament.

Keeping peace. Correcting.

1 Appeale of Murder may be commenced in one Countie, of the death of any person stricken or poysoned in any other Countie. S.Trial 1.

2 The declaration in appeale of murder, and within what time it shall be sued S.Appeale 2.

3 Where

- 3 Where murder shall be tried by speciall commission. S. Treason 9.
- 4 The killing of the Chauncelor, Treasurer, or any Iudge &c. sitting in his place, is high Treason. S. Treason 1.
- 5 It is not lawfull to slay any person attainted in Præmunire. S. Præmunire 6.
- 6 The Appellant in appeale of murder where battaile lieth not, may make an Attorney. S. Attorney 5.
- 7 In what sort Coroners shall inquire of murder, and attach the offenders. S. Coroners 2, 3, 4.
- 8 In what case foresters may slay offenders. S. Forests 4.

Newes.

Whosoeuer doth contrive, speake, or tell any false or counterfeit newes, whereof discord, or matter or cause of discord or slander may arise betwene the King and his Noblemen, or people: Or any false newes, lies, or other such false things of Prelates, Dukes, Earles, Barons, and other Nobles and Officers of the Realme, or of the Chauncelor, Treasurer, Clerke of the privie seale, Steward of the Kings house, Justices of the one bench or of the other, or of any great Officer of the realme, whereof discord or slander may arise within the realme, shall be taken and imprisoned, untill he hath brought forth him which did speake the same. And when he is taken and imprisoned, and cannot find him which spake the words, then he shall be punished by the advise of the Councell. West. 1. 3. Ed. 1. 34. 2. R. 2. 5. 12. R. 2. 11. 1. and 2. P. and M. 3.

Newes to
beard discord.

Newes of the
Officers of
great officers.

Whosoeuer shall by preaching, teaching, writing, or open speech notifie, that any eating of fish, or forbearing of flesh, mentioned in the statute for those cases provided, is of any necessity for the saving of the soule of man, or that it is the service of God, otherwise than as other politique lawes be, shall be punished as spreaders of false newes are, and ought to be. 5. El. 5. 1. Jac. 2. 5. to continue to the end of the first Session of the next Parliament.

Newes con-
cerning eating
of fish, or for-
bearing of
flesh.

Nisi prius.

Two Justices swozne shall be assigned, before whom, and none other, Assises of Novel disseisin, Mortuor, & Attaints, shall be taken: And they shall associate with them two or one of the discreetest knights of the shire into which they shall come, & shall take the foresaid Ass. & Attaints but thrice in the yeare at the most, viz &c. And in every shire, at every taking of Assises, before their departure, they shall appoint the day of their returne, so that every one of the shire may know of their coming. And they shall adjourne the Assises from terme to terme, if the taking of them be deferred at any day by vouching to warrantie, by Cessoyne, or by default of Jurors. And if they perceiue it convenient for any cause that Ass. of Mortuor. being respited by Cessoyne, or Voucher, ought to be adjourned into the bench, it shall be lawfull for them to doe it: and then they shall send the Recorder with the Original writ before the J. of the Bench. And when the suit is come to the taking of the Assise, the J. of the bench shall remaund the same to the first Just. before whom the Ass. shall be taken. But from henceforth the J. of the Bench in such Assises shall give four daies at the least in the yeare, before the said Just. assigned to spare expence and labour. Inquisitions of trespass shall be determined before the Just. of both benches, except the trespass be so heinous, that it shall require great examination. Inquisitions also of other pleas pleaded in either of the benches, shall be determined before them, wherein small examination is required: as when the entrie or seisin of any is denied, or in case when one article is to be inquired. But Inquisitions of many

Justices of
Nisi prius.

Trial of small
causes.

Trial of great
causes.

Nisi prius.

The forme of
the writ of
Nisi prius.

Dart present.
Quare impedit.

Clerkes of
Assise.

Nisi prius be-
fore the J. of
the same court

Granting of
Nisi prius in
the Justices
discretion.
Nisi prius in
plea of land.

Nisi prius at
the demandant
or tenants
request.

The authori-
tie of Just. of
Nisi prius.

Trial of is-
sues ioyned
in the Chaun-
cerie, &c. by
Nisi prius in
Westminster
hall.

many and great articles (the which require great examination) shall be taken be-
fore the Just. of the bench, except that both parties desire that the inquisition may
be taken before some of the Associates, when they come into those parts: So that
from henceforth it shall not be done but by two Justices, or one, with some knight
of the shire, upon whom the parties can agree. And such inquisitions shall not be de-
termined before any Just. of the bench, unless a day and place certaine be appoin-
ted in the Countie, in the presence of the parties. And the day and place shall be
mentioned in a iudiciall writ, by these words, *Præcipimus tibi quod venire facias*
coram Iusticiarijs nostris apud Westmonast. in Octab. Sancti Michaelis (nisi talis
& talis, tali die & loco ad partes illas prius venerint) duodecim &c. And when such
Enquests be taken, they shall be returned into the bench, and there shall iudge-
ment be given and inrolled. And if any Inquisitions be taken otherwise then as-
ter this forme, they shall be of no effect, Except that assises of Darrein presentment,
and Inquisitions upon a Quare impedit shall be determined in their owne Coun-
tie, before one Justice of the bench, and one knight, at a day and place certaine as-
signed in the bench, whether the defendant consent or not, & there the iudgement
shall be presently given. All Justices of the Benches shall have in their circuits
Clerks, to inroll al pleas pleaded before them, like as they have used in times past.
13. Ed. 1. 30. 12. Ed. 2. 4.

2 Enquests and Recognisances depending before the Justices of both the
Benches shall be taken in the time of vacation by any of the Just. before whom the
suit is commenced, being associat to one knight of the same Countie where such
Enquests shall be taken, unless it be an inquisition that requireth great examina-
tion. And so in taking such enquests, the Justices shall doe as they shall thinke
expedient for the benefit of the Realme. 27. Ed. 1. 4. Enquests and Juries to be ta-
ken in pleas of land, that requireth not great examination shall be taken in the
Countie before a Justice of the peace where the plea is, with a substantiall man
of the Countie, knight, or other, so that a certaine day be given in the bench, and
a certaine day and place in the Countie in the presence of the parties demanding
the same. And also Enquests and Juries in pleas of land that require great exa-
mination, shall be taken in the Countie (in maner abovesaid) before two Just. of
the Bench. 12. Ed. 2. 3. And all such Enquests which are to be taken in plea of land
shall be taken aswell at the request of the tenant as of the demandant. 2. E. 3. 16.
Nisi prius may be granted as well before any Justice of another Court (viz. of the
Kings bench, Common pleas, or chiefe Baron of the Exchequer, being a man of
the law, or the Kings seriant (wozne) as before any Just. of the same Court where
the suit dependeth: And they may give iudgement upon verdicts in Assise of Dart
presentment, and Quare impedit, and upon nonsuits and defaults. 14. Ed. 3. 16.

3 The Justices of Assise of Nisi prius, shall have power to record nonsuits,
and defaults in the Countie, at the daies and places assigned, as is abovesaid,
And what they shall do, shall be certified into the bench at a day certaine, there to
be inrolled, and thereupon iudgement shall be given. And if it happen, that the Ju-
stice or Justices assigned to take such Enquests in the Countie, doe not come, or
if they come into the countie at the day assigned, yet the parties, and persons of
such Enquests, shall keepe their day in the Bench. 12. Ed. 2. 4.

4 The chiefe Justice of England for the time being, upon issues ioyned, or to
be ioyned in the Court called the Kings Bench, or in the Court of Chauncerie,
The chiefe Justice of the common pleas for the time being, upon issues ioyned,
or to be ioyned in the Court of Common pleas, And the chiefe Baron of the Ex-
chequer for the time being, upon issues ioyned, or to be ioyned in the Court of Ex-
chequer, or in the absence or default of any of them, two other Judges or Barons
of the same severall Courts where it shall happen either of the same chiefe Justices

res, or the chiefe Baron, for the time being, to be absent, shall, or may at their discretions, within Westminster Hall in Westminster, or in the place where the court of Exchequer is commonly kept, in the countie of Middlesex, as Justices of Nisi prius, for the said Countie of Middlesex, within the terme time, or within 4. daies next after the end of every, or any terme, severally trie all maner of issues joyned, or to be joyned in any of the said severall Courts, which by the ordinarie course of the lawes of this Realme, ought to be tried in any of the said courts, by an Enquest of the said Countie of Middlesex. And Commissions and writs of Nisi prius shalbe awarded in such cases, and in such forme as they are, or have been used in any other shire of this Realme. 18.El.11.

5 It shall be lawfull for any person or persons, upon reasonable warning given to the adverse partie, to his or their Attorney, as hath beene accustomed in such like cases, to take or sue forth writs and recozds of Nisi prius, for the trial of the said issues in the said Countie of Middlesex, as they may doe upon any issue joyned, triable in any other Countie, and thereupon take the Jurie in such maner and forme, and with awarding of Tales de circumstantibus, and awarding the nonsuit, as is used for the trial of issues joyned, or nonsuits to be awarded in the said Courts, or any of them, triable within the citie of London, or within any other Countie of this Realme of England. 18.El.11.

6 The Shyriks of the said Countie of Middlesex, for the time being, shal make returne of all writs of Nisi prius, which shall be delivered to them, or to their, or any of their sufficient deputie for the time being, before the said Judges, Baron, or Barons, and enery of them, and shall give their attendance upon the said Justices, Baron, and Barons, as well for the returning of such Tales as shall be prayed de circumstantibus, for the trying of the said issues, as for the doing and executing of all other thing and things to the office of the Shyrife in such case belonging, or appertaining. 18.El.11.

7 And all persons to be impanelled in such Juries, and the parties to the same issues and suits, and the witnesses for the same, shalbe charged and bound, in such and the like sort, upon the like paines and penalties, for their not appearance and attendance, or for their or any of their misdemeanoz or default, before the said Justices of Nisi prius, as they should have bin, if the same Issue had bin tried in the Court from whence the Nisi prius thereof was awarded: All which severall trials so to be had, before the said severall Justices, Baron or Barons, shall stand and be as good and availeable in law, as if the same had bin tried in the terme time at the barre, in the Court where such issue was joyned or triable: any law &c. notwithstanding. 18.El.11.

1 That Nisi prius shalbe graunted in Attaint, S.Attaint 12.S.7.R.2.

Nonsuit.

If in Assise of Nouel dif. Mortdauncest. or any other action, the verdict passe against the plaintife, he shall not be nonsuit. 2.H.4.7.

1 The penaltie if in certaine cases the plaintife be nonsuit. S.Dammages 1.6.

Nontenure.

By exception of Pontenure of parcell, no writt shall be abated but for the quantitie of Pontenure which is alleaged. 25.Ed.3.16.

1 Exception to a fine that the parties to the same had nothing in the land. See Fines 8.

Nusance. Office, Inquisition.

Nusance.

All writs of Nusance called Vicounts shall be made at the election of the plaintiffe, in the nature of old times used, or else in the nature of Assises determinable before the R. Just. of the one bench or the other, or before Just. of Assise in the Countie &c. 6 R. 2. 3. And a writ shall be granted against him which hath leased a house, wall, or market, And if the house, wall, or market, be aliened to another, the same writ shall be granted. Westm. 2. 13. Ed. 1. 24.

Office, Inquisition.

Other mens
interests sa-
ved though
they be not
found by of-
fice.

If any Offices or Inquisitions be found before Escheatores, Commissioners, or others, containing tenure of the R. in Capite, intituling his grace to the Wardship or Custodie of any lands, tenements, or hereditaments, or intituling him to the same, upon attainders of treason, or felonie, or otherwise, whereas any other person or persons doe hold the same lands, &c. for terme of yeares, or by copie of Court roll, or doe enjoy any rent, common, office, fee, or other profit appender, of any estate of free hold, for yeares, or otherwise, out of such lands &c. specified in such offices, though in such offices, such titles, interests, or matters, shall be omitted and not found: Yet everie lessee, tenant for yeares, or copholder, and everie such person and persons that have any interest to any rent, common, or profit appender, for the terme of yeares, life, or otherwise, out of the lands &c. contained in such office or inquisition, where the King shall be intituled to the same, shall have, enjoy, and perceive all and everie their leases and interests for terme of yeares, or by copie of Court roll, rents, commons, offices, fees, and profit appender, in such manner and condition, as everie of them should or might have done, in case there had bene no such office found, and as such lease, interest by copie of Court roll, common, office, fee, or profit appender had bene found in such office. 2. Ed. 6. 8. See Wards 17.

The counters-
paine of an
office shall re-
main with the
first man of
the Jurie.

2 If a Jurie that shall be sworn before any Escheator or Commisshouer, to inquire of lands, &c. doe not receive the counterpaine of the office or inquisition that by them shall be presented, indented and sealed by the Escheator or Commisshouer, and the same deliver and suffer to rest in the possession of the first person that shall be sworn in the said Jurie, to the intent that the Escheator or Commisshouer may not change or imbezil the said office, everie of the said Jurie shall forfeit. 1. H. 8. 8. 3. H. 8. 2.

The fees of
writs or com-
missions.

3 If the lands and tenements whereof any Inquisition is to be had by vertue of any writ or commission, exceed the value of v. l. by the yeare, then such as sue for such writs or commissions, shall pay for the seale and writing thereof such fees as have bene accustomed. And if the lands and tenements whereof any inquisition and office is to be found by vertue of any writ or commission, exceed not the said verely value of v. l. Then such as shall sue for such writ or commissions, shall pay for the seale of everie of them vi. d. and not above. 33. H. 8. 22.

Receiving an
office certified

4 If the officer of a Court of Record, where an inquisition of land not exceeding the yearly value of five pounds, shall be returned, being offered unto him, within one moneth next after the finding thereof, doe not receive the same, he shall forfeit v. l. to the R. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 33. H. 8. 22.

An office re-
ceived within
three dayes.

5 If the Clerke of the petit bagge of the Chancerie, or his deputie, or any officer of the Exchequer, having authoritie to receive any offices or inquisitions to whose hands an office or inquisition shall come, which ought to be returned into the Chancerie or Exchequer, will not receive the same, and put it on the file to remaine

maine of recozd, within thre dayes after it be receiued or offered to him, he shal for-
feit xl. l. 1. H. 8. 8. 3. H. 8. 1.

6 The Clerkes of the petit Bagge in the Chauncerie, shall certifie the trans-
cript of all offices found and returned in the Chauncerie, betwene Easter and S.
Michael, into the Exchequer, in the terme of S. Michael. And the transcript of all
offices found and returned into the Chauncerie, betwene Michaelmas and Ea-
ster, they shall certifie yearely in the terme of Easter, and otherwise they shall not
certifie. And also they shall certifie the transcript of all Offices into the Court of
Wards and Liveries, in like maner and forme, as they are bound to doe into the
Exchequer. 3. 3. H. 8. 2. 2. Which certificats they shall make in forme aforesaid, upon
paine to forf. for every default 100. s. to the R. and J. to be recovered by Action of
debt, wherein no W. & C. P. & C. 1. H. 8. 8. 3. H. 8. 2. 3. 3. H. 8. 2. 2.

Transcript
of offices.

7 All Inquisitions and Offices, found before any Escheator or Commissioner
by vertue of any writs or commission, or otherwise, within the Counties Palan-
tines of the Duchy of Lancaster, Chester, and Duresme, or any of them shall be re-
turned by the said Escheators and Commissioners, within one moneth next after
the taking thereof, into such places and offices, as heretofore they have bin accusto-
med to be returned into, upon paine to forf. for every default xl. l. to the R. And
the Clerke of the Duchy of Lancaster, the Vicechancelor of Chester, and the
Chancelor of the countie Palantine of Duresme, or other officers within the said
Counties Palantines, or other Deputies, and every of them, having authoritie to
receiue any such Office or Inquisition, to whose hands the same shall come, shall
certifie or cause to be certified vnder his or their hands in Parchment, the true
transcript of euery such office or inquisition, taken before any of the said Eschea-
tors or Commissioners vnto the Master of the Court of Wards and Liveries, in
such like maner, as is appointed to the Clerkes of the petit Bagge in the Chaunce-
rie to transcript the same, upon paine to forf. for every such default xl. l. to the R.
Which transcript shall there remaine of recozd, in like maner as the transcripts of
other Offices already certified into the same Court by the Clerkes of the petit
Bagge are vsed. 18. El. 12.

Offices in
Lancaster,
Chester,
Duresme.

1 Where a Melius inquirendum shall bee awarded vpon an office vncertainly
found. S. Tenures 4.

2 For the maner of finding of offices, and returning them. See Escheators 2. 4. 7.
9. 10.

3 Where and in what cases, any person may be allowed to traueise an office. S. Tra-
uerse 1. 2. 3.

4 The lands, goods &c. of any person attainted of Treason, shall bee in the King
without office found of the same. S. Treason 14.

Offices and Officers.

The Chancelor of England, Treasorer, Keeper of the priue Scale, Steward
of the Kings house, the Kings Chamberlaine, Master of the Rolls, the Justices
of the one Bench, and the other, Barons of the Exchequer, and all other that
shall be called to ordaine, name, or make Justices of Peace, Sherifes, Escheators,
Customers, Comptrollers, or any other Officers or ministers of the Kings, shal be
sworne, that they shall not ordaine, name, or make, any of the foresaid officers, or a-
ny other officers or ministers of the Kings for any gift or b2ocage, fauour or affecti-
on: Nor that any which labourerh by himselfe or by other priuily or openly, to be in
any office, shall be put in the same office or in any other. But they shall make all
such officers and ministers of the best and most lawfull and sufficient men to their
skilfull and knowledge. 12. R. 2. 2.

None shal
obtain offices
by suit or re-
ward.

Offices and Officers.

Officers of
the K. courts.

2 All Officers made by the Kings Letters patents, within his Courts, which haue authoritie by vertue of their offices of old time accustomed, to make or appoint clerkes and ministers within the same courts, shall be charged and swoyne to appoint and make such clerkes and ministers, for whom they will answer at their perill, which be sufficient, faithfull, and ready to attend to that which pertaineth to their charge, as well touching the K. seruice, as the businesse of all the common people. 2.H.6.10.

Officers re-
moneable.

3 No Customier, Comptroller, Searcher, Weigher, Finder, Aolneger, Gauger, collector of customes or subsidies, shall haue any estate in his office, for terme of life or yeares, but the said offices shall remaine in the Kings hands, vnder the governance and direction of the Treasorer of England (with the assent of the Council if need be.) And no Letters patents shall be made of anie of the said offices, but by warrant and bill assigned by the Treasorer, sent into the Chaucerie. And if any letters patents shall be made by any other warrant or bill, they shall be void. 14. R.2.10. 17.R.2.5. 1.H.4.13. 31.H.6.5.

Buying and
selling of
offices.

4 If any person or persons doe bargain or sell any office or offices, or Deputation of any office or offices, or any part of any of them, or receiue, haue, or take any money, fee, reward, or any other profit directly or indirectly, to take anie promise, covenant, bond, agreement, or any assurance to receiue or haue anie money for reward, or other profit, directly or indirectly, for any office or offices, or for the Deputation of any office or offices, or any part of any of them, or to the intent that any person should haue, exercise or enioy any office or offices, or the Deputation of any office, or any part of any of them, which office or offices, or anie part of them, shall in any wise touch or concerne the administration or execution of Justice, or the receipt, controlment, or payment of anie of the Kings treasure, money, rent, reuenue, accompt, aulnage, auditorship, or surveying of any of the Kings lands, woods or hereditaments, or any of the Kings customes, or any administration or necessarie attendance to be done in any of the Kings custome houses, or the keeping of any of the Kings Townes, Castles or Fortresses, being used or appointed for a place of strength and defence, or which shall concerne or touch any clerkship to be occupied in any court of Record, wherein Justice is to be ministered: When all and euery such person and persons, that shall so bargain or sell any of the said office or offices, deputation or deputations, or that shall take any money, fee, reward, or profit for any of the said office or offices, deputation or deputations, or anie part of any of them, or that shall take any promise, covenant, bond, or assurance, for anie money, reward or profit to be given for any of the said office or offices, or shall loose all his right, interest, and estate, which he shall then haue, of, in, or to any of the said offices or deputations, or any part of any of them, or of, in, or to the gift or nomination of any of the said offices or deputations, for which offices or deputations, or any part of any of them, any such persons shall make any bargain or sale, or take any money, fee, reward, or profits, or any promise, covenant, or assurance, to haue or receiue any fee, reward, money or profit. And also euery such person that shall giue or pay any money, fee, or reward, or shall make any promise, agreement, bond or assurance for any of the said offices or deputations, or any part of any of them, shall immediatly, by and vpon the same fee, money, or reward, given, or paid, or vpon any such promise, covenant, bond or agreement, had or made, for anie fee, summe of money, or reward, to be paid, as is aforesaid, be adiudged a disabled person in the law to all intents, to haue, occupie, or enioy the said offices or deputations, or any part of any of them, for the which such person shall so giue or pay, or make any covenant, bond, or promise, or to pay any summe of money, fee, or reward. And all and euery such bargaines, sales, promises, bonds, agreements, covenants and assurances as be before specified, shall be void, to and against him and them

them by whom they shall be had or made. 5. E. 6dw. 16.

5 But this Statute extendeth not to any office or offices, whereof anie person or persons is or shall be seised of any estate of inheritance, nor to any office of Par-
her ship, or of the keeping of any house, manor, garden, parke, chafe, or foreest: Nei-
ther doth it extend, or is prejudiciall to any of the chiefe Justices of the K. Bench,
or common pleas, or to any of the Justices of Assise, But euery of the said Justi-
ces may doe in euery behalfe touching any Offic or Offices to bee given or graun-
ted by them, or any of them, as they or any of them might haue done befoze &c. 5. E.
6. 16.

Offices
whereunto the
stat. extendeth
not.

6 If any person or persons doe offend in anie thing, contrarie to the tenor and
effect of this Act, yet that notwithstanding, all iudgements giuen, and all other
Act or Acts, executed or done, by anie such person or persons so offending, by au-
thoritie, or colour of the Office or Deputation, which ought to be forf. or not occu-
pied, or not enioyed by the person so offending, as is aforesaid, after the said offence
so by such person committed, or done, and befoze such person so offending, for the
same offence be remoued from the exercise, administration, and occupation of the
said office or Deputation, shall be and remaine good and sufficient in law, to all
intents and purposes, in such like manner and forme, as the same should and
ought to haue remained and beene, if this Act had neuer bene had or made. 5. Edw.
6. 16.

Was done by
an officer re-
mouable.

7 If any of the Officers appointed for the court of Wardes and Liueries, doe
conceale or withdraw willingly any rents, casualties, or other profits, comming
to the King by the minozitie of any of the Wardes, or by reason of any thing ap-
pointed to be within the order of the Court of Wardes and Liueries: then they so
offending, shall lose to the King the double value of the thing concealed, or with-
drawne. 32. H. 8. 46. And if the Suruey or Clerke of the Liueries, doe willingly
withdraw or conceale any record or profit that should grow to the King &c. by reason
of the same, then he shall lose to the King &c. the double value of the thing so concea-
led or withdrawne, to be lenied and recouered against the offender, upon an info-
mation made by the partie grieved, and the same duely proued in the Court of
Wardes and Liueries. 33. H. 8. 22.

Officers
withdrawing
the K. rents.

1 Where Officers by reason of their Offices may exhibit Informations. See Axi-
oms popular 12.

2 How Officers of the King shall be punished, which by colour of their Offices do
disseise any man. S. Assise 4.

3 The forf. of Officers of the Kings Bench, or Common place, for false entries in
certaine cases. S. Appazance 1.

4 Where Commissions shall be awarded to inquire of concealment of Officers,
accountable in the Exchequer. S. Account to the K. 53.

5 The Kings Officers shall not be vnlawfully retained with any other, nor suffer
any of his tenants to be retained. S. Liueries 7.

Oyle.

The Mayo of London, with the Passer and Wardens of the Pysserie of
Tallow Chaundlers of the same Citie, haue authoritie to search all manner
of Oyles brought into the said Citie to be sold, in whose hands soeuer they shall be
found, as often as the case shall require: And they shall ouersce that the same Oyles
put to sale, be not mixt or altered from their right kinds, but that they be good and
lawfull, as they ought to be. And it is lawfull for the said Mayo, with the said ma-
ster and wardens, to damne, auoid, and utterly to cast away all such Oyles as they
find defectiue, or falsely, or deceiueably mixed and altered from their right kinds,
without

Searching of
oyle in Lon-
don.

without let of any person. And also they may commit such person as shall be found defective, by using such deceit or craft, to ward, and punish them by their discretions, according to the Lawes and Customes within the Citie or Libertie of London, used and made for other misdoers. 3. H. 8. 14.

Searching of
Oyle out of
London.

2 The Mayor in the Citie, Borough, and Towne where a Mayor is, or the Governours or Rulers of every other Citie, Borough, &c. for the time being, have within their Jurisdiction, Libertie, and Franchise, like authoritie to make and doe like search, order, direction, correction, punishment, and execution for the same, of, for, and upon all Oyles, being defective, or deceivably, or falsly mixed and altered, by any person within their Liberties and Franchises, in maner and forme before rehearsed, and as the Mayors, Pastors, and Wardens of the citie of London haue or may in London &c. 3. H. 8. 14.

Ordinarie.

Ordinarie
charged as
executors.

1 If by the death of any dying intestate, which is bound to some other for Debt, the goods come to the Ordinaries hands to be disposed, The Ordinarie is bound to answer as farre forth as the goods of the dead will extend, in such sort as executors should haue bene bound, if the partie had made a will. Westm. 2. 13. Edw. 1. 19.

Ordinarie
indicted of
extortion.

2 No Ordinarie, or any Minister of his shall be indicted of Extortion or Oppression generally, but it must be declared and put in certaine in the indictment, in what thing, of what, and in what maner the said Ordinaries or other Ministers haue done extortion and oppression, or otherwise the said Ordinarie &c. shall not be impeached by the Kings Iustices, for the said Indictment. 25. Edw. 3. 9. Stat. pro Clero.

Religious
houses within
the visitation of
the Ordinarie

3 Anno 31. Henr. 8. 13. it was enacted, That such of the late Monasteries, Abbathies, Priories, Panneries, Colledges, Hospitals, Houses of Friars, and other Religious and Ecclesiastical houses and places, and all Churches and Chapels to any of them belonging, which befoze the dissolution, suppression, or coming unto King Henry the eight, were exempted from the Visitation, and all other iurisdiction of the Ordinarie, within whose Dioces they were situate, should bee within the Jurisdiction and Visitation of the Ordinaries, within whose Diocesse they or any of them be situate, or of such persons as by the said H. Henr. 8. should be appointed, any Exemption, Libertie or Jurisdiction notwithstanding. Anno 31 H. 8. 13.

1 The Ordinaries authoritie and dutie, when any question for tythes shal come in debate before him. S. Tythes 20. 21. 31.

2 The Ordinarie may suspend him which chideth in a church or churchyard. S. Fighting 2.

3 The Ordinaries authoritie in punishing the incontinencie of Ecclesiastical persons. S. Incontinencie 1.

4 Where the Ordinarie must give the Patron notice of deprivation fixe moneths before Lapse. S. Ecclesiastical &c. 5.

5 The Ordinarie may visit Hospitals within his Diocesse S. Hospitals 1.

6 For the Ordinaries dutie in prouing of Testaments, and granting administration. S. Probate &c.

7 The Ordinarie for a benefice fallen to him by Lapse, may counterplead the K. title. S. Lapse 2.

8 For the Ordinaries allowance of a Scholmaster. S. Recusants 2.

Oatmeale.

If any person will take vpon him to sell oatmeale, which is impaired by any craft, he meanes, first he shall be grievously punished, and being the second time convicted, he shall lose all his Oatmeale, the third time shall be adiudged to the Pillorie, and the fourth time he shall forswear the towne. 5 1. Ed. 1.

Selling of
corrupt Oat-
meale.

Painter.

From and after the 29. day of September, which shall be in the yere of our Lord God 1606. next comming after the end of this Session of Parliament, No man, nor of person or persons, being or pretending to be a Plasterer, or hereafter to be, come or be a Plasterer, shall vse, exercise, or set vp the Art, Mysterie, or manual occupation of a Painter, commonly called a Painter Stainer, or any part thereof, in the Citty of London, or the Liberties, or Suburbs of the same: Or shall within the places aforesaid, make any manner of worke or workes, or lay any manner of colour or colours, painting or paintings whatsoever, in the said Art or Mysterie of Painters Stainers aforesaid, at any time heretofore occupied or vfed, vnlesse he or they be or shall be the seruant or seruants, appzntice or appzntices of a Painter, otherwise called a Painter Stainer, or haue serued or shall serue as an appzntice or as appzntices, by the space of seven yeaeres at the least to a Painter, otherwise called a Painter Stainer: vpon paine that every such person or persons as shall hereafter doe or offend contrarie to the true intent of this Act, shall forfeit for euery time that he shall so offend five pounds: The one moiety to the King, his heires and successors, and the other moiety to him or them that will sue for the same in anie of the Kings Courts of Record, by A. of debt, B. P. or T. wherein no C. P. or W. shall be allowed for the defendant: Any Law, Custome, &c. notwithstanding.

1. Jac. 20.

2 Provided neuertheless, That it shal and may be lawfull to and for any of the what colours
companye of Plasterers, or their seruants, or appzntices, to lay and vse whitening, Plasterers
blacking, red lead, red okar, yelloe okar, and russet mingled with size only, and not may vse.
with oyle, This Act &c. notwithstanding. 1. Jac. 20.

3 No Painter, or Painters seruant, or appzntice, shall haue or take aboute
vbi. s. by the day, for laying of any flat colour whatsoever, mingled or mixed with
oyle or size, vpon any tymber, stone, yron or lead. An 1. Jac. 20.

Pardon.

No Charter of Pardon of any Felonie, Robberie, or Homicide, shalbe granted
to anie person, but where the King may doe it, sauing his othe taken at his co- Of what of-
ronation (viz. where a man killeth another in his owne defence, or by misfortune. fences pardon
may be grated
6. Ed. 1. 9. & 2. E. 3. 2.) And if any Charter be otherwise granted, it shall be void. 4. E.
3. 13. 10. Ed. 3. 2. 14. Ed. 3. 15.

2 In euery Charter of Pardon of Felonie, which shal be granted at any mans The suggesti-
suggestion, the suggestion and the name of him that maketh it, shall be compzised in on compzised
the same Charter. And if afterward the suggestion be found vntrue, the Charter in the pardon.
shall be disallowed and accounted nothing worth. And the Iustices befoze whom
such Charters shall be alledged, shall enquire the same suggestions, and if they find
them vntrue, they shall disallow the Charters, and further proceed as the Law re-
quireth. An 27. E. 3. 2.

3 No Charter of Pardon shalbe allowed befoze any Iustice for Murder, or for
the

Pardon.

Parliament.

The offences
specified in the
pardon.

the death of a man slaine by await, assault, or malice prepensed, Treason or Rape of a woman, unless the same murder, death, treason, or rape, be specified in the same Charter: And if a Charter of the death of a man be alleadged before any Justices, in which is not specified, that he, of whose death any such is arraigned, was murdered or slaine by await, assault, or malice prepensed, the same Justices shall enquire by a good Enquest of the Wisne, where the dead was slaine, if he were murdered or slaine by await, assault, or malice prepensed. And if they find that he was murdered or slaine by await &c. the Charter shall be disallowed, and further therein shall be done as the law requireth. 13.R.2.1.16.R.2.6.

Pardon of an
Approuer.

4 If any man or woman doe desire, or pursue, or cause to be requested or pursued, for any Charter of Pardon, for any Felon-arraigned of Felonie, Murder, or Rape, which for safeguard of his life doth become an Approuer, the name of him or her which pursueth such Charter, shall be put in the Charter, making mention that the same Charter is graunted at his request and instance. And if he to whom the Charter is graunted, after his deliuerance becommeth a Felon againe, the same person which did pursue for his Charter, shall forfeit to the King 100.l. &c. 5.H.4.2.

He that hath
a pardon shall
find surties
for his good
beating.

5 If the King doe graunt to any person any Charter of Pardon, of any Homicide, Robberie, or Felonie, then he to whom the same is graunted, shall come within thre moneths next after the making of the same, before the Sherife and Cozoners of the countie where the Felonie was done, and shall find sure god and sufficient Mainperners, for whom the said Sherife and Cozoners will answer, that he from henceforth shall beare himselfe wel and lawfully. And the mainpries shall be sealed and returned into the Chauncerie within thre weeks after the end of the said thre moneths. And if he which hath such charter, will aid himselfe thereby, and hath not found such Mainpries, or after such Mainprie found, doth beare him otherwise against the peace then he ought, his charter shall be accounted void, and of no force. 10.Ed.3.3.

1 What things bee requisite to make Pardons of Vclawrie allowed. See Exigent 2.3.

2 None haue authoritie to pardon Felons &c. but the King. See Prærogative 17.

3 In what suit the K. Pardon shall be no barre. S. Iuror 8.

4 A Pardon of Alienation must be sued by those to whom lands holden in Capite be deuised. S. Wils 16.

Parliament.

Each person
shall upon
summons
come to the
Parliament.

Every person of the Realme, which hath Summons to come to the Parliament (which shall be holden once euery yeare, and more often, if need be. 4. Edw.3.13. 36.Edw.3.10.) be he Archbisshoppe, Bisshoppe, Duke, Earle, Baron, Baronet, Knight of the Shire, citizen of citie, Burgesse of Borough, or other singular person or communitie, that doth absent himselfe, and cometh not at the said Summons (except he can reasonably and honestly excuse himselfe to the K. Palestie) shall be amerced, and otherwise punished, according as hath bene used. 5.R.2.4.

No man shall
depart from
the parliament
without licence

2 No Knight, citizen, Burgesse, or Baron, that shall be elected to come or bee in any Parliament, shall depart from the same Parliament, nor absent himselfe from the same, untill the same Parliament be fully finished, ended, or prorogued (except he haue licence of the Speaker and Commons in the said Parliament assembled, and the licence be entred of Record in the booke of the clerke of the Parliament appointed for the common house) upon paine to lose all these summes of

of money which he ought to haue had for his wages : And all the Counties, Cities, and Bozoughs, whereof any such person shal be elected, and the inhabitants of the same, shalbe cleerely discharged of the said wages, against the said person and his executozs for euer. 6.H.8.16.

3 If any Sherife of the Realme be negligent in making his returne of Writs of the Parliament, or leaue out of the said returnes any cities, or bozoughs, which be bound, or of old times were wont to come to the parliament, he shalbe punished in such sort, as it hath bin vsed, 2c. 5.R.2.4.Star.2.

Return of the Writs for the Parliament.

4 At the next Countie holden after the deliuerie of the Kings Writ, for the election of the Knights of the Parliament, Proclamation shall be made in the full Countie, of the day and place of the Parliament, and that all they which be there present, aswell suitors summoned for the same cause, as other, shall attend to the election of their Knights for the Parliament; and then in the full countie they shall proceed to the election freely and indifferently (notwithstanding any prayer or commandement to the contrarie. 7.H.4.15.) which election shall be made by the Sherife in due and convenient time (That is to say, euerie Sherife in his full Countie shall make the same betweene the houre of eight, and the houre of nine in the forenone, without collusion.) And the Knights of the Shires within England, shall be chosen by men dwelling and resident within the same Counties, whereof euerie one hath free lands or tenements, to the value of xl.s. by the yeare at the least, aboue all charges, within the same Countie, where any such person will meddle in the election. And they which shall be chosen, shall be also remaining and dwelling within the same Counties the day of the date of the Writ for summons of the parliament. And they which haue the greater number of those which may dispend xl.s. or aboue (be they absent or present) shall bee returned by the Sherife of euerie Countie, Knights for the Parliament, by Indenture sealed, made betwixt the said Sherife, and the said Chusers, and the Indenture shall be filed to the Parliament Writ. Which Indenture so sealed and filed, shall bee the returne of the same Writ. And in the Writs of the Parliament this clause shall be put, Electionem tuam in Comitatu tuo factam, distincte & aperte sub sigillo tuo, & sigillis eorum, qui electioni illi interfuerint nos in Cancellar noster ad diem & locum in breui continet. certiffices indilate. And euerie Sherife within the Realme of England, hath authoritie to examine by oath, vpon the holie Euangelists, euerie such Elector, how much he may dispend by yeare (for he that cannot dispend xl.s. by yeare, shall not in any manner be a Chuser of the Knights of the Parliament.) And if any Sherife returns Knights for the Parliament, contrarie to the Statute, or doth not make his election within the foresaid time, the Iustices of Assise in their Sessions haue power to inquire thereof, and if by inquest it be found befoze the same Iustices, and the Sherife thereof attainted, hee shall forfeit to the king one hundred pounds, and also be imprisoned a yeare, without being let to baile or mainprise. And mozeouer he shall forfeit and pay to euerie person chosen knight for the shire, and not duely returned 100.l. whereof euerie knight so grieved, shall haue his action of debt against the said Sherife, his executozs or administrators, to demand and haue the said 100.l. with his costs in that case dispended, wherein no W.C.c.c. And also the knights for the Parliament returned in contrarie manner, shall lose their wages. 7.H.4.15. 11.H.4.1. 1.H.5.1. 8.H.6.7. 10.H.6.2. 23.H.6.15. But the Sherifes which shall make such elections, shall haue their answer, and traueise to such Enquests, and Offices found befoze the Iustices of Assise. And neither the Sherifes nor the knights supposed to be vnduely returned, shall incur any damage to the king, vntill they be duly convicted, according to the course of the Law. 6.H.6.4.

The manner of the election of the knights of the Parliament.

The Sheriffs forfeiture.

5 Euerie Sherife after the deliuerie of the king Writ for the parliament, shall

Parliament.

**Election of
Burgesses.**

shall make and deliver without fraud, a sufficient precept under his Seale to every Shire and Bailiwe, or to Bailiffs or Bailiwe, where no Shire is, of the Cities and Boroughs within his Countie, reciting the same Writ, commanding them by the same precept (if it be a Citie) to chuse by Citizens of the same Citie, & in the same manner, if it be a Borough, by the burgesses of the same, to come to the Parliament. And the same Shire, and Bailiwe or Bailiffs, &c. shall returne lawfully the Precept, to the same Sherife, by Indenture betwixt the same Sherife, and them of the said election, and of the names of the Citizens and Burgesses by them so chosen, and therupon everie Sherife shall make a good and rightful returne of everie such Writ, and of everie returne of the Shires, or Bailiws &c. to him made. And everie Sherife, at everie time that he doth contrarie to this Statute, or any other Statutes, for the election of Knights, Citizens, and Burgesses, to come to any Parliament (made before the xxv. day of Februarie, Anno Domini 1444. & 23. H. 6.) shall forfeit, to the R. 100. l. and be one yere imprisoned, without baile or mainprise, & moreover shall forfeit and pay to every person chosen knight, citizen, or burgess in his county to come to the parliament, & not duly returned 100. l. whereof every knight, citizen, or burgess, so grieved, severally shall have his Action of debt against the said Sherife, or his executors, or administrators, to demand and have the said 100. l. with his costs in that case expended, wherein no W. C. &c. 23. Hen. 6. 15.

**Other Bur-
gesses returne
and the which
be chosen.**

6 At everie time that any Shire and Bailiws, or Bailiwe or Bailiffs, where no Shire is, shall returne other persons, than those which be chosen by the Citizens, and Burgesses of the Cities or Boroughs, where such elections shall bee made, they shall forfeit to the R. 1. l. and also they shall forfeit and pay to every person chosen Citizen, or Burgess for the parliament, and not by the said Shire, &c. or Bailiffs &c. returned 1. l. whereof every of the citizens or burgesses so grieved, severally shall have his Action of Debt against the said Shires and Bailiws, or Bailiwe or Bailiffs where no Shire is, against their Executors, or Administrators, to demand and have 1. l. with his costs in the case expended, wherein no W. C. &c. 23. H. 6. 15.

**A Knight or
Burgess put
out, & another
put in his
place.**

7 If any Knight, Citizen, or Burgess, returned by the Sherife to come to the Parliament in some aforesaid, be after such returne, by any person put out, & another put in his place, such person put in the place of him which is so put out, if hee take upon him to be a Knight, Citizen, or Burgess, at any parliament, shall forfeit to the king one hundred pounds, and also one hundred pounds to the knight, citizen, or Burgess so returned by the Sherife, and afterwards put out, for the which hundred pounds, the Knight, Citizen, or Burgess put out, shall have his Action of Debt against such person put in his place, his Executors, or Administrators. 23. H. 6. 15.

**Within what
time the suit
shall be com-
menced.**

8 But the said Knight, Citizen, or Burgess, put out, and everie other person before named, which shall or may have any Action of Debt against such Sherife, Shire, Bailiwe, Bailiffs, &c. for to demand 100. l. or 40. l. by force of any branch or clause, before rehearsed, shall beginne his Action of Debt within thre Moneths after the same Parliament commenced, and proceed in the same suit effectually without fraud. And if he do not so, any other that will sue, shall have the said Action of Debt, to have and recover the said summe, with his costs in that behalfe dispended, in manner and some aforesaid, wherein no W. C. &c. 23. Hen. 6. 15.

**Who shall be
Knights for
the Parlia-
ment.**

9 The Knights of the Sherifs chosen for the Parliament, shall be worthy and notable Knights of the same Shires, for which they be chosen, or otherwise such notable Esquires, Gentlemen, borne of the same Counties, as shall bee able to be Knights. And no man shall be such a Knight, which standeth in the degree of a yeoman,

man, or vnder. 23. H. 6. 15. And the citizens and burgeses of cities, and boroughs, shal be chosen of men which be citizens & burgeses, resident, dwelling, and franchised in the same cities and boroughs, and none other in any wise. 1. H. 5. 1. 23. H. 6. 15.

Citizens and Burgeses.

10 The kings royall assent, by his Letters Patents vnder his great seale, and assigned with his hand, and declared and notified in his absence, to the Lords Spirituall and Temporall, and to the Commons assembled together in the high house, is, and ever was, & shal be of as good strength and force, as though the King person had bin there personally present and had assented openly and publickly to the same. 33. H. 2. 12.

The Kings assent.

11 If any Lord, or other spirituall man, or tempozal, haue purchased any lands, tenements, or possessions that were wont befoze the said purchase to be contributory to the expences of the knights coming to the Parliament, the said lands, tenements, and possessions, and the tenants of the same shal be contributory to the said expences, as the said lands &c. were wont to be, befoze the time of the said purchase.

Lands contributory to the knights wages.

12 The Sherife of euerie Countie for the time being, in the next Countie Court holden in their Counties, after the deliuerance of the Kings writ to them De solutione feodi Militis Parliamenti, shall make open proclamation, that the Coroners, and euerie chiefe Constable of Peace of the said Counties, and the Baylives of euerie Hundred or Wapentake of the same Countie, and all other which will be at the assessing of the wages of the knights of the Shires, shal be at the next Countie there to be holden, to assele the said wages of the said knights. And the Sherife, Undersherife, Coroners, or Bailifes, for the time being, shall bee there at the same time in their proper person, vpon paine of forfeiture to the King of euerie of them that maketh default &c. At which time the said Sherife or Undersherife in the presence of them that shall come to the same, and of the suitors of the said Counties then being there in the full Countie, well and duely shall assele euerie Hundred to that assessable, by it selfe, to pay a certaine summe for wages of the knights of the Shire, so that the whole summe of all the hundreds do not exceed the summe which shal be due to the said knights, and after that, in the same Countie, shall assele euerie village within the said Hundreds, which shal be there assessable, to a certaine summe for the payment of the said wages, so that the whole summe of all the Townes, within any of the said Hundreds, do not exceed the summe assessed vpon the Hundred of which they be. And the said Sherifes, Undersherifes, Baylives, nor no other Officer, for the cause aforesaid, shall leuie moze money of any Village, then that whereunto they were assessed. And if any doe, or will assele any Hundred or Village, otherwise than is aforesaid, they shall forfeit. for euerie default to the king xx. l. and to any man that will sue in this case x. l. And the said Sherifes well and duely shall leuie the money so assessed vpon the aforesaid Villages, as soone as they well may, after the said assessing, and the same shall deliuer to the said knights, according to the writs thereof, vpon the aforesaid paines, &c. and he that will sue in this case shall be thereunto admitted, and shall haue a Scire facias against him that offendeth against this Statute. And if the defendant duely warned in the same, make default, or else appeare, and be in the same conuict, then the plaintifes shall reconer against them which be so conuict &c. to their owne vse, besides the said xx. l. with their treble damages for the costs of their suits. All such expences of knights shal not be leuied of any other Villages, Seignories, or places, but of such wherof it hath bin leuied befoze this time. And in euery writ to be made to leuie the wages of the said knights, this act shal be comprehended in the same. 23. H. 6. 15. S. Inst. of P. 52.

The order of leuying knights wages.

13 At euerie Parliament shall bee chosen a Bishope, two Barons, and two Ba-

lls

rons,

Parliament. Partition, Parceners.

**Delates of
iudgement in
other Courts
redressed in
Parliament.**

rons, which shall haue Commission from the king, to heare by petition deliuered vnto them, the complaints of those, that will complaine of delayes of iudgements in the Chauncerie, Kings Bench, Common Place, and Exchequer, and besoze o- ther Justices assigned to heare and determine: Which delayes happen sometime by difficultie, and sometime by diuersitie of opinions of the Judges, and sometime for other causes. Which Prelat, Cardes, and Barons, shall haue power to cause to come besoze them, the tenoz of the Record and pzoces of such iudgements so de- layed, and to cause the same Justices to come besoze them, to heare their cause and reason of such delates: Which cause and reason so heard, by good aduice of them- selues, the Chaunceloz, Treasurer, Justices of the one Bench and the other, and o- ther of the Kings Councell (as many, and such as shall seeme conuenient) shall pzo- ceed to take a good Record, and make a good Iudgement. And according to the same Record so taken, the tenoz of the same Record, together with the Iudgement which shall be accorded, shall bee remanded besoze the Justices besoze whom the plea did depend: And they shall giue iudgement according to the same Record. And if difficultie seeme to them to bee so great, that it may not well be determi- ned without assent of the parliament: The said tenoz or tenozs shall bee brought by the sayd Prelat, Cardes, and Barons, into the next Parliament, And there shall a small accord be made, what Iudgement ought to be giuen in this case: And according to that accord, commaundement shall bee giuen to the Judges be- soze whom the plea did depend, that they shall pzoceed to iudgement without delay. 14.Ed.3.5.

1 How they shall be punished which doe assault any Lord, Knight, or Burgesse of the parliaments, or any of their seruants. S. Fighting 5.

2 In what sort he shall bee vsed which entreth into the parliament house, with- out taking the oath for the asurance of the Kings power ouer all estates. See Crowne 5.

3 For the Knights and Burgessees of Parliament, to bee chosen in euerie Shire, Citie and Towne Corporat in Wales, and for their wages. S. Wales 116.117.118.119. 120.121.

4 There shalbe two Knights for the Countie, and two Citizens for the city of Che- ster for euerie parliament. S. Chester 2.

5 They which cometo the Conuocation, shall haue such liberties as they which cometo the parliament. S. Conuocation 1.

6 No appeales shalbe sued in the parliament. S. Appeale 1.

7 None shalbe vexed for free speeches in parliament. S. 4.H.8.8.

8 For the wages of the knights of the parliament in the county of Cambridge. S. 34.H.8.24.

9 Places of the Lords in the parliament. S. 31.H.8.10.

10 No imposition or charge shal be set vpon wools, &c. without assent of parla- ment. S. 45.Ed.3.5.

Partition, Parceners.

**Partition of
lands holden
in Capite.**

If any inheritance which is holden of the king in Capite, do descend to diuers co- parceners, then all the heires shall do homage to the k. and the inheritance which is holden of the king shalbe so diuided amongst the heires, that euerie of them from thenceforth shall hold her part of the king. Prærog. Regis 17. Edw. 2.5. And if they be within age, the king shal haue the wardship and marriage of euerie one of them, and so shall euerie other Lord of whom they hold their lands, Stat. Hibernie, Anno 14.H.3.

2 All Jointenants, and Tenants in common, of any estate or estates of inhe-
tance,

fance, in their owne rights, or in the rights of their wiues, of any manors, lands, tenements, or hereditaments within England, Wales, or the Marches of the same, shall and may be compelled to make partition betweene them, of all such manors, lands, tenements, and hereditaments, as they hold as Jointenants, or Tenants in common, by writ De partitione facienda, in like maner as coparceners by the common Lawes haue bin, and are compellable to do, and the same writ shall be pursued at the Common Law. 31. H. 8. 1.

Jointenants & tenants in common, may be compelled to make partition.

3 But euerie of the said Jointenants, or Tenants in common, and their heires after such partion made, shall and may haue aide of the other, or of their heires, to the intent to deraigne the warrantie paramount, and to recouer for the rate, as is used betweene Parceners after partition by order of the Common Law. 31. Hen. 8. 1.

Aide after partition.

4 All Jointenants, and Tenants in common, and euerie of them, which hold jointly, or in common for terme of life, yeare of yeares, or Jointenants, or tenants in common, where one or some of them haue estate or estates for terme of life, or yeares, with the other that haue estate or estates of inheritance, or freehold in any manors, lands, tenements, or hereditaments, shall and may be compellable by writ of Partition, to be pursued out of the Chancery, vpon his or their case, to make severance and partition of all such lands, &c. which they hold jointly or in common, for terme of life or liues, yere or yerres, where one or some of them hold jointly or in common, for terme of life or yerres, with other, that haue an estate or estates of inheritance or freehold. 32. H. 8. 23.

Jointenants for life or yerres

5 But no such partition to be made by force of this stat. shal be prejudiciall to any persons, their heires and successours, other than such which be parties to the said partition, their executors or assignes. 32. H. 8. 32.

Partition prejudiciall to none but parties.

1 How much the vsurpation of a coparcener vpon his coheire, shall preiudice him in his presentation. S. Aduowson 6.

2 In what maner, and betwixt whom partition shalbe made of lands in Gavelkind in Kent. S. Prærog. 16.

Patents.

The day of the deliuerie of euerie warrant sent by the King, or his heires, to the Chaunceloz of England, shall bee entred of recozd into the Chauncerie: And the Chaunceloz shall cause Letters Patents to bee made vpon the same warrant, bearing date the day of the said deliuerie in the Chauncerie, and not before. And if any Letters Patents bee made to the contrarie, they shall be void. 18. Hen. 6. 1.

Letters Patents shal beare the date of the deliuerie of the warrant.

2 If any person do make suit to the king for any lands, tenements, offices, or any other things, by his Grace graunted, or to be granted to any person during his pleasure, the first Patentee then being in life, hee shall expresse in the said Bill of Petition or Patent, the tenor of the said former Patent, and that the King hath determined his pleasure against the said first Patentee: Or else the said second letters patents of any of the premises to any person to be graunted, shalbe void. 6. H. 8. 15.

Patents of lands, &c. graunted to others during pleasure.

3 As well all and singular Letters Patents, Indentures, and other writings, sealed vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaster, or the seale of the countie Palantine of Lancaster, and heretofore made or graunted by our Soueraigne Ladie M. Elizab. sithence 18. Nouemb. Añ 1. of her Reigne, for any summes of money, or for any other considerations, As all other Letters patents hereafter to be made by our said So. Lady, for any summe of money, or other considerations, during seven yerres next insuing the making of this

A confirmatio of the Letters Patents of M. Eliz.

Patents.

Act (being 15. die Martij, An dñi 1575.) to any bodie Politique or Corporate, or to any other person or persons whatsoever, of any Honours, Castles, Manors, Lordships, Graunges, Peales, Lands, Tenements, Meadowers, Pastures, Rents, Reversions, Services, Woods, Advowsons, Prominations, Patronages, Annuities, Rights, Interests, Entries, Conditions, Leets, Courts, Liberties, Priviliges, Franchises, or any other Hereditaments with their appurtenances, or of any part or parcell of them, sealed with or vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaster, or the Seale of the Countie Palatine of Lancaster, of whatsoever kind, nature, or qualitie, they or any of them be, or shall bee reputed, knowne, or taken with their appurtenances, or any part or parcell of them, shall be good, perfect, and effectuell in the law, and shall stand, be taken, and aduindged good, perfect, and effectuell in the law against the Queene, her heires and successours, according to the tenor and effect of the said Letters Patents, the same to be expounded and aduindged most beneficiall to the Patentees & Grantees of the same, and their assignes, according vnto the words and purport of euery of the said Letters patents, without any confirmation, licence, or tolleration of the Queene, her heires or successours: Any misnaming, misrecitall, or nonrecitall of any the same Honours, Castles, Manors, Lands, Tenements, and other the premises, or any parcell thereof: Or any lacke of finding of Offices, or Inquisitions of and in the premises, or any part thereof, whereby the title of the Queen thereto ought to haue been found, before the making of the same Letters Patents, or other writings: Or any misrecitall, or nonrecitall of Leases thereof before made, as well of record, as not of record: Or any lacke of the certaintie, miscalling, rating, or setting forth of the yearly value and rate of the premises, or of the yearly rents reserved, of, and for the premises, or any parcell thereof, mentioned or contained in any of the said Letters Patents, or other writings, or for that the premises be, or any part thereof is valued to a more or lesse value in the said letters Patents, or writings, than the said Lands, & other the premises then were, or shalbe in the yearly value: Or any misnaming of the Townes, Hamlets, Parishes, or Counties, where the same Lands, Tenements, Rents, Hereditaments, and other the premises, and euery parcell, or any parcell thereof, lien or bin: Or any lacke of the true naming of the Lands, Tenements, or Hereditaments: Or of the natures, kinds, sorts, qualities, or quantities of the said possessions, or hereditaments, or any parcell thereof: Or any lacke of the true naming of the Corporation: Or any lacke of the Attournement, Liuerie, or Seisin: Or of any misnaming of any the late Tenants or Farmours of the same Honours, Manors, Lands, Tenements, and Hereditaments, or any part thereof so sold, granted, or giuen, notwithstanding. 18.El.2.

The answer
for the Quer-
plus of lands
granted by the
D. Patent.

4 All and singular such Patentees, Grantees, and Donors, and euery of them, which at any time heretofore sithence the said 18. day of November, in the first yere of the Qu. raigne, haue obtained of our Soueraigne Ladie the Queene, or at any time after the Session of parliament ended (15. Martij. An dñi 1575.) during the space of seven yeares, shall obtaine of her maiestie by way of exchange, or for any summe of money, or other considerations, any Letters patents, of any Manors, Lands, Tenements, or Hereditaments, which at the date and making of the said Letters patents, were or shall bee at the time of making such Letters patents, of better and more yearly value to the Queene, and so answered in yearly rent and ferme, then was, is, or shall bee contained and specified in any such Letters patents, or in the particulars or rate thereof, made, or to be made by any Auditor, Suruicor, and other Officer: Then euerie such patentee, grantee, donee, their heires, executors, assignes, and euerie of them, within one yere next after Office, or other due prooffe, Order, and Decree thereof to bee made within tenne yeares

yeares next after 15. Martij, Anno Domini 1575. in the Exchequer, shall pay unto the Queene, her heires and successours, for the same overplus of the same lands, &c. so sold, given, graunted, or exchanged, after the rate of threescore Lx. yeares purchase, and according to such yearely value and rate, as the same Lands, Tenements, and other Hereditaments were, and answered at the time of the making of any such Letters Patents so made, or to be made in manner and forme aforesaid: Any thing contained in any such Letters patents &c. notwithstanding.

19. Eliz. 2.

5 But this Act shall not extend to confirme or make good any Lease or Leases, made or to be made by the Queene, for terme of life, lives, or for yeares, whereupon the old and accustomed rents, or moze, be not, or hereafter shall not be reserved, and yearely payable during the terme of everie such Lease: For this Act shall extend to revieve or make good any Letters Patents, made of any Office or Offices to any Comptroller, Customer, Aulneger, Searcher: For to any Letters Patents, of the graunt of any other Office or Offices, heretofore made by the Queene, which now bee, or at any time heretofore have bene determined, or made void by Judgement, by authoritie of Parliament, or by decre: For to any Patents to be made to any person for terme of yeares, or during the minority of any heire of any manors, lands, or tenements, whereof any trauerser shall be tenured within thre moneths after any Office found and certified unto any the Qu. Courts of Record: For to make good any Letters patents, made by our said Sovereigne Ladie of any Office, to be of any other effect then the same Letters patents were or should have bene before the making of this Act: Neither shall it extend to any Letters patents, which at any time heretofore sithence the beginning of the Queenes raighe hath bene, or hereafter shall be made by the Queene to any person of any manors, lands, tenements, rents, reuerfions, seruices, or other hereditaments, by force of any information, suit, or suggestion, made, or to be made to her Highnesse, that the same lands, &c. so contained in any such Letters patents were concealed lands: But the same Letters Patents, and everie of them, shall remaine and be in the same force and effect, as they were before the making of this act

18. Eliz. 2.

6 Saving to all other persons, and bodies politique and corporate, their heires and successours, and everie of them, all such right, title, interest, possession, estate, leases, rents, seruices, commons, and all other profits and commodities whatsoever, as they or any of them should or might have had before the Letters patents thereof made, if this Act had neuer bene made. 18. Eliz. 2.

7 All Feoffements, Fines, Surrenders, Assurances, Conueyances, and Estates, had or made, to or for our Sovereigne Lady Quene Elizabeth, sithence 18. Nouemb. Anno 1. of her raighe, or to be made at any time during seven yeares (next after the end of this Parliament, being 15. die Marr. An. dni. 1575.) by any person or persons, bodie politique or corporate, of any castles, manors, lands, tenements, rents, and other hereditaments, for any debt, summe of money, or other consideration whatsoever, shall be good and available in the Law, to all intents, according to the true meaning of the same: Saving to all and everie person and persons, and their heires, bodies politique and corporate, and their successours, (other then such person and persons, their heires, and wiues, being parties or priues to such Conueyances &c. bodies Politique or Corporate, and their successours, &c. of whom the Queene hath obtained or purchased, or shall obtaine or purchase during the said seven yeares, any lands, &c. by exchange, gift, bargain, or otherwise) all such right, title, interest, vse, possessions, rents, reuerfions, remainders, office, fees, commons, profits, and commodities whatsoever, which they or any of them, haue, might, or ought to haue had, of, in, or to the Premises, or any part thereof,

Lx. yeares purchase.

Patentees or Grantees whereunto this Statute extendeth not.

Patentees of lands whereof a trauerser is tenured.

Patents of Offices.

Patents of concealed land.

Other mens rights saved

A confirmation of all assurances made to the Qu.

Other mens rights saved.

Patents.

thereof, in as ample manner, to all intents, as if this Act had neuer beene made.
18. Eliz. 2.

A confirmati-
on of all assu-
rances made
to Q. Eliz.

3 saving of
the right of
others.

8 All Feoffements, Fines, Surrenders assurances, conueyances, and estates, in any wise conueied, had, or made, to, or for your Highnesse, by or from any person or persons, bodie politique or corporat, sithence 8. Februar. An. 25. El. of any Honors, Castles, Manors, Lands, Tenements, Rents, Reuerfions, Seruices, and other Hereditaments, for any debt, summe or summes of money, or other considerations whatsoever (other then conueyances or estates heretofore had or made, by any Ecclesiasticall person or persons, or bodie politique or corporat, not having power or abilitie by the Lawes and Statutes of this Realme, to make the same) shalbe good and available in the law, to all intents, according to the true meaning and purport of the same: Hauing to all and euerie person and persons, and to their heires, bodie politique and corporat, and to their successours, and euery of them (other then such person or persons, and their heires, and wiues, being parties or parties to such conueyances or assurances, and euerie of them, bodie politike & corporat, and their successours, and euerie of them, of, or from whom the Queene hath had, obtained, or purchased, any manors messuages, lands, tenements, rents, reuerfions, seruices, or hereditaments, by exchange, gift, bargaine, fine, feoffement, recoverie, deed inrolled, or otherwise) all such right, title, interest, vse, possession, rents, reuerfions, remainders, offices, fees, commons, profits, and commodities whatsoever, which they or any of them haue, might, or ought to haue had, of, in, or to the Premises, or any part thereof, in as large and ample manner, to all intents, as if this Act had neuer been had, ne made: This present Act &c. notwithstanding.
43. Eliz. 1.

A confirmati-
on of the Qu.
grants made
to others.

9 As well all and singular Letters Patents, Indentures, and other writings sealed vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaster, or the Seale of the Countie Palantine of Lancaster, heretofore made and graunted by your Highnesse, for any summes of money, or for and vpon any other considerations, sithence the said 8. Februarij Anno 25. Reg. Elizab. as all other Letters patents hereafter to be made by your Highnesse for any summe or summes of money or other considerations before the last day of this present Session of Parliament: And moreover, all other Letters Patents, within the space of one yeare then next ensuing, to be made by force of, or according to the purport or true meaning of the Commission vnder the great Seale of England, now in being, for sale of your Highnesse lands, to any bodie Politique or Corporat, or to any other person or persons whatsoever, of any Honors, Castles, Manors, Lordships, Graunges, Meales, Lands, Tenements, Medowes, Pastures, Rents, Reuerfions, Seruices, Woods, Aduowsons, Prominations, Patronages, Annuities, Rights, Interests, Entries, Conditions, Leets, Courts, Liberties, Priuiledges, Franchises, or of any other Hereditaments with their appurtenances, or of any part or parcell of them, sealed with, or vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaster, or the Seale of the Countie Palantine of Lancaster, of whatsoever kind, nature, or qualitie they or any of them be, or shalbe reputed, knowne, or taken, with their appurtenances, or any part or parcell of them, shalbe good, perfect, and effectuell in the law, and shall stand, be taken, reputed, deemed, and aduindged good, perfect, sure, available, and effectuell in the Law, against your Highnesse, your heires and successours, according to the tenor and effect of the said Letters Patents, Indentures, or other writings, the same to bee expounded, construed, deemed and aduindged most beneficial for the Patentees and Grauntees of the same, and their heires, assignes, executors, and administrators, according vnto the words and purport of enerie the said Letters Patents, Indentures, or other writings, without any confirmation, licence, or tolleration of your Highnesse,

Highnesse, your heires or successors, Any misnaming, miscallall, or nonrecital, of any the same Honors, Castles, Mannors, Lands, Tenements, and other the premises, or of any parcell thereof: Or any lacke of finding of Offices or Inquisitions, of and in the Premises, or any part thereof, whereby the title of your Highnesse therein ought to haue been found befoze the making of the same Letters Patents, Indentures, or other writings: Or any miscallall, or nonrecital, of Leases thereof made, as well of Record, as not of Record: Or any miscallall, nonrecital, or not true mentioning in any such Letters patents, Graunts, or writings of your Maiesties stowe estate or estates, either of freehold, or inheritance, of, or in the premises, or any part thereof, whereunto your Maiestie hath bene li. thence the beginning of your Reigne, or hereafter shall be intituled by any Attainder, Escheat, Conueyance, or assurance whatsoever, and in which Letters patents, Graunts, or writings, no Estate taylor formerly made, or supposed to bee made, haue bene or shall be recited, and the Reuerſion or Remainder thereupon expectant in the same Letters Patents, Graunts, or writings granted or mentioned to be graunted: Or any lacke of the certaintie, miscalling, rating, or setting forth of the yearely value and rate of the Premises, or any parcell thereof mentioned or contained in any of the said Letters Patents, or other writings: Or soz that the Premises be, or any part thereof is valued at a moze or lesse value in the said Letters Patents, or writings, then the said Mannors, Lands, Tenements, and other the Premises, then were or shall be in yearely value: Or any misnaming, or not true naming of the Townes, Hamlets, Parishes, or Counties where the same Honors, Mannors, Lands, Tenements, Rents, Hereditaments, and other the Premises, and euerie parcell thereof, or any parcell thereof, lien, or bene: Or any lacke of the true naming of the Lands, Tenements, or Hereditaments, or of the natures, kinds, sorts, qualitie or qualities, of the said possessions, or hereditaments, or any parcell thereof: Or any lacke of the true naming of the Corporation: Or any lacke of Attournement, Liuerie, or Seisin: Or of any misnaming of any the late Tenants or Farmers of the same Honors, Mannors, Lands, Tenements, and Hereditaments or any part thereof, so sold, granted, or giuen: Or of any misnaming of such person or persons, bodies Politique or Corporation, as at any time befoze the making of such Letters Patents were, or shall bee owners of the Premises, or any part thereof, to the contrarie notwithstanding.

43. Eliz. 1.

10 But this Act shall not extend to make any Letters Patents of any office or offices to be of any other effect, force, or strength, then the same Letters Patents were, or should haue bene befoze the making of this Act. Provided also that all and singular such Patentees, Granters, and Donees, and euerie of them, which at any time heretofore sithence the said 8. day of Februarie, haue obtained and gotten of your Highnesse, or at any time hereafter befoze the last day of this Session of Parliament or within the space of one yeare then next ensuing shall obtaine and get of your Highnesse, by way of exchange, or for any summe or summes of money, or other considerations, any Letters patents of any mannors, lands, tenements, or hereditaments whatsoever, which at the date of the said Letters patents were or shall be of better and moze yerely value, to your Highnesse, and so answered in yearely rent and farme, then was, is, or shall be contained mentioned, and specified in any such letters Patents, or in the particulars and rates thereof, made, or to be made by any Auditor or Auditors, Suruey or Surueyors, or other Officer, That then euerie such Patentee, Graunte, or Donee, their heires, executors, or assignes, and euerie of them, within one yeare next after office, or other due ppose, order and decree thereof made and had, or to be made or had within the space and terme of tenne yeres, next after the end of this present Session of Parliament in the Court of Exchequer

Patentees of
Offices.

Recompence
for ouerplus.

Patents.

**Le. yeares
purchase.**

**Grants
whereunto
this Statute
doth not ex-
tend.**

**Patents of
concealed
lands.**

**Composition
with commis-
sioners.**

**Patents de-
creed to be
void.**

chequer, shall content and pay unto your Highnesse, your heires and successours, for the same ouerplus and more value of the same manors, lands, tenements, and other hereditaments whatsoever, with their appurtenances so sold, given, granted, or ex- changed, as is aforesaid, after the rate of threescore peres purchase, and according to such verely value and rate as the same manors, lands, tenements, and other he- reditaments whatsoever were of, and were answered for, at the time of the making of any such Letters Patents, so made, or to be made in maner and forme aforesaid: Any thing contained in any such Letters patents to the contrarie in any wise not, withstanding. 43. El.

11 Provided also, that this Act, or any Proviso therein contained, shall not in any wise extend to confirme, ratifie, or make good any Lease or Leases made or to be made by your Highnesse for terme of life, liues, or for yeares, wherupon the old and accustomed rents, or more, or as much in value, or more proportionably for the lands and tenements so demised, or to be demised, be not, or hereafter shall not be reserved and yearly payable during the time and terme of every such Lease: For that this Act shall in any wise extend to renew, and make good any Letters patents made of any office or offices, to any Comptroller, Customer, Aulneger, Searcher: For to any Letters patents, of the graunt of any other office or offices heretofore granted or made by your Highnesse, which now be, or at any time heretofore have beene made void, by iudgement, by authoritie of Parliament, or by decree: For to any Patents to be made to any person or persons for terme of yeares, or during the minority of any Heire of any manors, lands, or tenements, whereof any traaverse hereafter shall be tendered within three moneths after any Office found and certifi- ed into any your Highnesse Courts of Record: For to make any Letters patents made by your Highnesse, of any Office or Offices to be of any other force or strength then the same Letters patents were or should have beene before the making of this Act. 43. El. 1.

12 Provided also, that this Act shall not extend to any Letters patents, or any gift or grant, therein contained, which at any time heretofore have bin, or hereafter before the last day of this Session of Parliament shall be made by your highnesse, to any person or persons, of any manors, lands, tenements, rents, reuerfions, ser- vices, or other hereditaments, by force of any Information, Suit, or suggestion, made or to be made to your highnesse, that the same manors, lands, tenements, and other hereditaments so contained in any Letters patents were concealed lands, or that the same, or the profits thereof, were uniuersally withholden from your Highnesse, but the same Letters patents, and every of them shall stand, and bee in the same force, strength, and effect, as they were before the making of this Act: Any thing ec. notwithstanding. 43. Eliz. 1.

13 And yet neuerthelesse, be it declared and enacted by authoritie of this Par- liament, that no Letters patents, nor any gift or grant in them contained, made or to be made, by warrant of your Maiesties Commissioners, authorized to make compositions with your Subjects for new Letters patents, or graunts to bee made unto them, are, or ought to be taken, or shall bee deemed and taken to bee made by force of any Information, Suit, or suggestion, that the manors, lands, tenements, or other hereditaments, contained in the same Letters patents were concealed lands, but that they and every of them shall be within the full meaning of this Act, to be forfeited and made good, as other Letters patents, made without any suggestion or information of concealment, or uniuersal withholding beene. 43. Eliz. 1.

14 Provided alwaies, That this Act, shall not extend to be taken to make good any Letters patents, Indentures, or other writings, or any graunt in them or any of them contained, which heretofore have beene adiudged, or decreed to be void in any

any of your Ma. Courts of Record at West. or by any Act of Parliament: So to make good any Letters patents, or any Grant in them, or any of them contained, of, or concerning Licences, Powers, or privileges, commonly called Monopolies: So to make good any Letters patents, or grants, of, or concerning power, Licence, Libertie, or authoritie given for execution of any penall Statute, or Statutes, or for tolleration, or dispensation; of, to, or with any offence prohibited by any penall Statute or statutes: So to make good any Letters Patents; to William Kirkham gentleman, or to any other by his procurement, concerning which there hath bin any Act of Parliament made heretofore, or any suit in your Ma. Court of Chancery, or Chancerie. Saving to all and every other person or persons and bodies politique and corporat, their heires, and successors, and euerie of them, all such right, title, Interest, possession, estate, leases, rents, services, commons, and all other profits and commodities whatsoever, as they or any of them should or might haue had before the Letters patents thereof made, if this Act had neuer bin had ne made: Any thing therein contained to the contrarie notwithstanding. 43. Eliz. 1.

Monopolies:

Patents touching penall Stat. Kirkham.

Saving of the right of others.

15 This Act shall not extend to make good any Letters patents, or grant of the premises, or any part thereof, whereof there was or shall any good and lawfull estate Tayle heretofore made by your Maestie, or any your progenitors, or hereafter to be made by your Maestie, unlesse such estate Tayle be duly recited: Neither this Act shall extend to make good any Letters patents, heretofore made by your Maestie, sithnce An. 25. of your Raigne, to any person or persons, and their heires, for, and concerning the manors, granges, lands tenements, tithes, and other hereditaments whatsoever, set, lying, and being in the severall Parishes of Bakewell and Hartington in the Countie of Derby, and in the severall parishes of Kewstler, alias Rochester, and Blower in the Countie of Stafford, mentioned or intended to haue been conveyed unto Francis late Earle of Shrewsbury, by R. H. 8. by his Letters patents, bearing date at Westminster 22. Nouembreis, Anno 33. H. 8. But for and concerning all other manors, lands, tenements, and hereditaments, contained in any such Letters patents, made since the five and twentieth yeare of your raigne, the same shall be within the remedies and provisions of this Act, according to the purport and meaning of the same. 43. Eliz. 1.

Patents of lands entailed

Bakewell, Hartington, Rochester, Blower.

16 This Act shall not extend to the ratifying or making good of any lease made by Iohn May, late Bishop of Carlisle deceased to your Maestie, which was not inrolled before the first day of this Session of Parliament. 43. Eliz. 1.

Iohn May.

17 Anno 34. & 35. H. 8. 21. The like Statute was made, confirming all letters Patents, Indentures, and other writings, made, or granted to any person or persons &c. by the said King, vnder the great Seale of England, the Seale of the Duchie of Lancaster, or the Seale of the Court of Augmentation, sithence 4. Feb. Anno 27. H. 8. vntill Maij An. 35. of his raigne, and to be made 7. yeares after, notwithstanding any misnaming, mispision, misrecital, &c. (vt supra.) And also confirming all exchanges, fines, feoffements, recoveries, dodes inrolled, &c. made within the foresaid time, by any persons to the said R. of any lands, tenements, or hereditaments, &c. notwithstanding any misrecital, misnaming, nonrecital, or not naming of any of the said lands, &c.

A confirmation of the patents of R. H. 8.

18 All and every Honours, Manors, Lands, tenements, and hereditaments, which at any time heretofore were the possession of any Abbey, Monastrie, Priory, Dunnerie, or other Religious or Ecclesiasticall house or houses, and which after 4. Feb. Anno 27. H. 8. came to the hands and possession of the said late R. H. 8. or which were put in charge, to, or for his Highnesse in his Court of Erchequer, or any other Courts of the said late King concerning his reuenues, or by any Auditor, or other officer of the said late King, or which after the said 4. Feb. Anno 27. H. 8.

Abbey lands which come to R. H. 8.

Patents.

H. 8. were granted or conveyed, or mention to be granted or conveyed, in or by any Letters patents whatsoever made by the said late H. 8. to any person or persons, body politique or corporat, were or shalbe reputed, taken and abjudged to have bin lawfully and perfectly in the actual and reall possession of the said late King and his heires & successours, at such time as the same did so come to his Majesties hands and possession, or were so put in charge, or granted or conveyed by the late king H. 8. as aforesaid: Notwithstanding any defect, want, or insufficiency, of, or in any surrender, grant, or conveyance of the same honours, manors, lands, tenements, or hereditaments, or any part thereof, to the said late king H. 8. or any other matter or cause whatsoever, by which his highnesse, was or might have bene intituled to the same. 35. Eliz. 3.

H. 8. letters patents for the foundation of Deane and Chapter, or Colledge.

19 All and singular Letters patents made by the said king H. 8. at any time after the said 4. Feb. An. 27. H. 8. for the erection, foundation, incorporation, or indowment, of any Deane, and Chapter, or Colledge, were or shall be reputed, taken, and abjudged, to have bin good, perfect, and effectuell in the law for all things therein contained, according to the true intent and meaning of the same: any thing, matter, or cause, to the contrarie thereof in any wise notwithstanding. 35. Eliz. 3.

Other names right saved.

20 Having alwaies unto all person and persons, bodies politique and corporat, their heires and successours, and everie of them, (other then the late Abbots, Abbesses, Priors, Priories, and other Governours of such Abbies, Monasteries, Priories, Puntries, and other Religious and Ecclesiastical houses, and their successours, and such as pretended to be Founders, Patrons, or Donors of the same, or any of them, or of any manors, lands, tenements, or hereditaments, belonging to the same, or to any of them, and their, and everie of their heires and successours) all such right, title, interest, claime, and demaund, as they or any of them, or their, or any of their aunccestors, or predecessours, might, or ought to have had, of, in, to, or out of any such honours, manors, lands, tenements, or hereditaments, before the said 4. Feb. An. 27. H. 8. or before the making of such Letters Patents by the said king H. 8. as if the said letters Patents made by the said H. 8. and the foresaid Stat. made in the said 24. yeare of his raigne, and this present act had never been made: This Act or any thing therein contained to the contrarie notwithstanding. 35. Eliz. 3.

A confirmation of the patents of H. 6.

21 Anno 1. Ed. 6. 8. the like statute was made, confirming all Letters Patents, Indentures, or other writings made or graunted, to any person or persons &c. by the said King. under any of the foresaid three seales, sithence 28. Janu. Anno 1. Ed. 6. and to be made during the said kings life, notwithstanding any misnaming, misrecital &c.

A confirmation of the patents of H. 5. and H. 6.

22 Anno 7. Ed. 6. 3. A Stat. was made, confirming all Letters patents made by H. H. 8. sithence 4. Feb. An. 27. of his raigne, and by king E. 6. sithence 28. Jan. An. 1. of his raigne, or be made during his life, of bargaines and sales, gifts, exchanges, &c. notwithstanding the lacke or losse of the particulars, or the bill assigned of the patents, and notwithstanding the nonage of the said king E. 6. as Duke of Lancaster, or any Act, statute, or lawes, for, or concerning any tenures, or reservations of rents or tenths to the contrarie &c.

A confirmation of the patents of H. 5. and H. 6.

23 Anno 4. & 5. P. & M. 1. A statute was made confirming all letters Patents, Indentures, and other writings made by the said king and Queene, or by the said Queene, under the great Seale of England, or the seale of the Duchie of Lancaster, sithence 7. Jul. Anno 1. M. untill 8. Mar. Anno Dom. 1557. and to be made by the said King and Queene during seven yeares after the said sequenth day of March, notwithstanding any misnaming, misrecital &c. vsupra. And also confirming all feoffements, fines, surrenders &c. made within the foresaid time by any person,

person, bodie polittique, or corporate, to the said King & Queen, or to the said Queene of any lands, tenements, or hereditaments. S. 1. M. 1. and 1. & 2. Phi. & M. 1.

24 Every person to whom the King shall grant the custodie & Wardship of any of his Wards, shall upon his bill assigned thereof, sue forth his patent within foure moneths next after the assignement of the said bill, or else the same bill, & the effect thereof shall be utterly void. 32. H. 8. 46.

within what time a patent shall be sued forth of a Wardship or liuerie.

25 And every person to whom the King shall graunt any Liuerie to be sued upon his bill assigned thereof, with the Kings hand, or with the hands of the officers of his Court of Wards and Liueries, shall sue forth his patent within ix. moneths next after the assignement of the said bill, or else the same bill, and effect thereof shall be utterly void. 33. H. 8. 22.

26 If a patent be made to any person, of Lands seised into the Kings hands upon an Enquest taken before an Escheator or Commissioner, or any of the same lands letten to farme by any of the Kings officers, untill the same Enquest be returned into the Chauncerie or Exchequer, and that the lands haue remained in the Kings hands, untill such Enquest be returned and one moneth after, the patent shall be void, except such as doe find themselves greeued by the same Enquests doe come into the Chauncerie within thre moneths after the same office put into the Chauncerie, or Exchequer, and doe offer to traaverse the Enquest, and to take the same lands to farme, shewing good evidence, prouing their Trauerse to be true, to whom the lands shall be let to farme, to hold untill the issue upon the same traaverse be found for the King, or the partie finding sufficient suretie to pursue the said traaverse with effect, and to pay to the King the rent, if by right it be his. And then all other patents made thereof within three moneths shall be void. 36. Ed. 3. 13. 8. H. 6. 16. 18. H. 6. 6. 1. H. 8. 10.

A patent of lands seised upon an Enquest taken before an Escheator.

1 Wherein an assise doth lie against the kings patentee. S. A. assise 5.

2 A patent graunted of the office of a Shirife or Vnder Shirife, in fee, for life, or years, shall be void. S. Shirife 4.

3 Knights fees, Adnowsons, and Dowers doe not passe by patent without speciall words. S. Prerogative 15.

4 How long a Patent made to an Escheator for that office shall endure. S. Escheator 8.

5 Of what Offices there shall be no estate graunted by patent, but the Officers shall be remouable. S. Officers 3.

6 A patent made to a Viſtuler to be a Purueyor for the Kings cariage is void. S. Purueyor 12.

7 What things shall be put in euery Patent graunted, to make an Alien Denizen. S. Aliens 14.

8 An Exemplification of a Patent shall be of the same force that a patent is. See Exemplification 1.

9 Where a patent may be made void, by being retained, wearing his liuerie, or doing seruice to another. S. Liuerie 7, 8.

10 Patents or writings of any parcell of the Earldome of March. S. 4. Hen. 7. 14.

Periurie.

Every person and persons which shall unlawfully and corruptly procure any witness or witnesses, by Letters, Rewards, Promises, or by any other sinister and unlawfull labour, or meanes whatsoever, to commit any wilfull and corrupt Periurie in any matter or cause whatsoever, depending in suit and variance, by any writ, action, bill, complaint, or information, in any wise concerning any lands,

Procuring wilfull periurie.

Periurie.

lands, tenements, or hereditaments, or any goods, chattels, debts, or damages, in any of the Courts of the Chauncerie, Starre chamber, Whitehall, or in any other of the Queenes Courts of Record, or in any Leet, view of Francke pledge, or Lawday, Auncient demesne Court, Court Hundred, Court Baron, or in the Court or Courts of the Stannerie in the Counties of Devon, and Cornewall, or shall likewise unlawfully and corruptly procure or suborne any witnesse or witnesse, which shall be swozne to testifie In perpetuam rei memoriam: Then everie such offendour or offendours, shall for his, hers, or their said offence being thereof lawfully convicted, or attainted, forfeit xl. pounds to the Quene and partie grieved &c. that will sue by A. J. B. &c. wherein no W. &c. C. B. J. &c. And if it happen any such offendour or offendours being so convicted or attainted as aforesaid, not to have any goods or chattels, lands or tenements, to the value of foztie pounds, then everie such person or persons so convicted or attainted of any of the offences aforesaid, shall suffer imprisonment one halfe yeare without baile or maineprix, and stand upon the Pillorie one whole houre, in some market towne, where, or next adioyning to the place where the offence was committed, in open Market there. And no person or persons being so convicted or attainted &c. shall be from thenceforth received as a witnesse to be deposed in any Court of Record, within any of the Queenes dominions of England, Wales, or the Marches of the same, untill the iudgement given against him or them, shall be reversed by Attaint, or otherwise. And upon everie such reversal the parties grieved shall recover his or their damages against all and everie such person and persons, as did procure the said iudgement so reversed to be first given against them, or any of them, by action to be sued upon his or their case, according to the course of the common law. 5. El. 9. S. Maintenance 4.

Committing
wilfull periurie,

2 If any person or persons, either by the subornation, unlawfull procurement, sinister perswasion, or meanes of any others, or by their owne act, consent, or agreement, shall wilfully and corruptly commit any manner of wilfull Periurie by his or their deposition in any of the Courts before mentioned, or being examined Ad perpetuam rei memoriam: then everie person or persons so offending, and being thereof duly convicted or attainted by the Lawes of this Realme, shall for his or their said offence loose and forfeit xx. l. to the Quene and partie grieved &c. that will sue by A. J. B. &c. wherein no W. &c. C. B. J. &c. and shall have sixe moneths imprisonment, without baile or maineprix, and his othe from thenceforth shall not be received in any Court of Record &c. untill the iudgement given against him shall be reversed by Attaint, or otherwise. And upon everie such reversal, the partie grieved shall recover his damages against all and everie such person and persons, as did procure the said iudgement so reversed, to be given against him, by action to be sued upon his case &c. And if the said offendour have not any goods or chattels to the value of twentie pounds, then he shall be set on the pillorie in some Market place, within the Shire, Citie, or Borough, where the said offence shall be committed, by the Shirife or his Ministers, if it be without any Citie, or Towne Corporate: And if it be within any Citie or Towne Corporate, then by the head Officer or Officers of the same Citie &c. or by his or their ministers, and there shall have both his eares nailed, and from thenceforth be discredited and disabled for ever to be swozne in any of the Courts of Record aforesaid, untill the iudgement shall be reversed, and thereupon shall recover his damages in manner and forme before mentioned. 5. El. 9.

Periurie committed in any ecclesiasticall Court.

3 But this act doth not extend to any Ecclesiasticall Court within England, Wales, or the Marches of the same, but everie such Offendour, as shall offend in forme aforesaid, shall and may be punished by such ordinarie lawes, as heretofore hath bene, and yet are used in the said Ecclesiasticall Courts. 5. El. 9.

4 As well the Judge and Judges of enerie such Court, where any such suite shall be, whereupon any such periurie, shall be committed, as also the Iustices of Assise and Gaule delinerie in their severall circuits, and the Iustices of peace at their quarter Sessions, haue power to inquire of, heare, and determine all the offences committed contrarie to this Act, by inquisition, presentment, bill, or information. And the Iustices of Assise of enerie circuit within this Realme, and else, where within the Queenes dominions, shall in enerie Countie within their circuits, two times in the yeare, that is to say, in the time of their sittings make open proclamation of this Statute, of the effect thereof, to the intent, that no person shall be ignorant of the penalties herein contained. But this Statute doth not re- strain the power given by a Statute made Anno 11. H. 7. 25. to the Lord Chauncelloe and others of the R. Councell, to examine and punish riots, routs, hainous periuries, and other offences, (which haue bled to heare and determine such matters in the Star Chamber at Westminister) nor to restraine the power of the Lo. President and Councell in the Marches of Wales, or in the North, nor of any other Judge hauing absolute power to punish periurie, befoze the making of the Statute. But they and enerie of them shall and may proceed in the punishment of all offences, heretofore punishable, in such wise, as they might haue done and bled to doe befoze the making of this act, to all purposes, so that they set not vpon the offenders lesse punishment than is contained in this Act. 5. El. 9. 29. El. 5. 1. Jac. 25. S. Iust. of P. 23.

Periurie punishable in the Star Chamber & other courts

1 Where, in what cases, and in what maner periurie shall be punished by Attaint. S. Attaint.

Pewter, Brasse, Pewterers.

N person or persons using the craft of Pewterers and Brassiers, shall sell or change any Pewter, or Brasse, new, or old, at any place within this realm, but onely in open faires, markets, or in their owne dwelling houses, but if they be distressed by the buyers of such wares, vpon paine of forfeiture for enerie such default to the King, and to him that will seize or present the same, or that will sue for the same by A. J. & c. pounds, wherein no W. C. P. & c. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Pewter shall be sold in faires & markets, & in the owners house onely.

2 If any person either worke or cast any pewter vessel or brasse at any place within this realme, except it be as good fine mettall, as is the pewter & brasse, cast and wrought after the perfect goodnesse of the same within the Citie of London, & by the statutes of the same ought to be, he shall forfeit to the vse of the R. & the finder thereof, or of him that will seize or sue for the same by A. J. & c. all such pewter and brasse so cast, and wrought of worse pewter and brasse & c. But this forfeiture shall not extend to brasse or pewter, being in the possession of any person, other then the workers of the same, or such as haue the same to sell, and being of the Crafts or myserie & c. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

What goods nelle pewter & brasse vessel ought to be.

3 No person shall make any hollow wares of pewter, viz. Salts, and Pots that are made of pewter, called lay mettall, but that it be after the assise of pewter lay mettall wrought within London. And the makers of such wares shall marke the same with severall markes of their owne, to the intent that they shall auoide the same wares by them wrought, and all such wares not sufficiently made, and not marked in forme aforesaid, found in the possession of the same maker, or seller, shall be forfeited. And if the same ware be sold, the maker shall forfeit to the vse of the King, and of the finder, or searcher, or of him that will seize or sue for the same by A. J. & c. the value of the same ware so vnlawfully wrought and sold. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8.

Hollow wares.

Marking of vessel.

Pewter, Brasse, Pewterers.

Decupping
false beames &
weights a-
bout brasse &
pewter.

4 If any person using buying and selling of pewter or brasse, doe occupie any deceivable, untrue, or false beames, or weights of the said wares, he shall forfeit to the K. and the partie that will sue by A. of debt, xx. s. wherein no D. C. ec. And also the partie so offending shall forfeit his beame to him that will seise it. And if the said offender be not sufficient to pay his said summe by him so forfeit, then it is lawfull to the Mayors, Bailifes, and other head Officers of such places where any offenders shall be found, to put him in the stocks, & so to keepe him untill the next market day, next adioyning, and in the market place to put him on the pillorie all the market time. 19. H. 7. 6. 4. H. 8. 7.

Searchers of
pewter and
brasse.

5 It shalbe lawfull for the Master and Wardens of the craft of pewterers within euerie Citie and Borough where such Wardens are, and where no such Wardens are, for the head Officers or Governours of the same Citie or Borough, to appoint certaine persons, most expert in knowledge of the same, to make search in the said Cities or Boroughs where they dwell. And the Iustices of peace in euerie Shire, at their generall Sessions holden at Michaelmas, shall appoint two persons hauing experience therein, to make search in the premises, in euerie part of that Shire, as well within Franchises as without, (sauing in Cities and Boroughs, where searchers be appointed by the governours of the same.) And all such vnlawfull pewter, or brasse, as the said searchers shall find, shall be to the vse of the King and of the said searchers. And in default of the said Master and Wardens of the said occupations, not searching in forme aforesaid, & whereby any such vnlawfull metall is cast or made, or vnlawfull weight used, it shall be lawfull to any person hauing sufficient cunning in the said occupations, by oversight of the Mayor, or Bailifes, or head Officers in the said Cities, Boroughs, & Townes, to search all the said places, & to put the said authoritie and Act in execution, in forme aforesaid. 19. H. 7. 6. 4. H. 8. 7. S. Iust. of P. 62.

Searchers
of tinne or
pewter vessel.

6 If any deceivable workmanship of tinne or pewter, be found either in chargers, platters, dishes, saucers, pozringers, trenchers, balons, flaggons, botfels, pots, saltcellers, goblets, spoones, cruetts, or candlestickes, or any other such wares of tinne or pewter, whatsoener it be, cast or wrought within this realme, or without, and brought to be sold within this Realme, it shall be lawfull to the Mayor of London, and the Masters and Wardens of the Craft of Pewterers of the said Citie, and their deputies, to haue search of the same within the Citie of London, and the Suburbes of the same. And in all other Cities, Boroughs, and Townes, where any Wardens be or shal be, the Mayors, Bailifes, or head Officers, and Wardens shall haue like authoritie, and where no Wardens be, then the head Officers or Governours of the same Cities, Boroughs, and Townes, shall haue authoritie to appoint certaine persons, most cunning in knowledge of the same, to make search within the said Cities, Boroughs, and Townes where they dwell. And if any such new wares, wrought of tinne and pewter, be found defective, and being in the possession of the seller, then the same person that putteth any such new wares of pewter to sale, shall forfeit the same wares to the King, and searchers or finders, or to him that will seise or sue for the same by A. J. ec. wherein no W. ec. P. ec. But this act concerning the forfeitures, shall not be preiudiciall to any person hauing the Graunt of King Hen. 8. or of any of his progenitoys, by his letters patents, of such forfeit. But euerie of them shall enioy the same, according to their Graunts and Liberties. 4. H. 8. 7. 25. H. 8. 9. 33. H. 8. 4.

wares of tin
made out of
this realme.

7 No person inhabiting within this Realme, shall buy or take by exchange, for other wares, any wares made out of this Realme, of Tinne, or mixt with Tinne, as platters, dishes, saucers, pots, balons, ewers, flaggons, goblets, salts, saltfallow,

saftellers, spoones, or any other thing made of Tinne, or Pewter, whatsoener it be, vpon paine of 50*l*. (to the vse of the King and the finders thereof) of the same wares, in whose hands soeuer it may be found or taken, and also lawfull money currant in this Realme, to the full value thereof. And it is lawfull to the Masters and Wardens of the Craft of Pewterers within euerie Citie, Borough, & towne of this Realme, where such Wardens be, and where no such Wardens be, to the head Officers or Gouernors of the same Citie &c. to appoint diuers persons most expert in knowledge of the same, to make search and seisure of all such wares, as shalbe brought, contrarie to the true intent of this Act, in whosoener possessions any such shalbe found. 25. H.8.9. And if any person doe vnlawfully withstand, disturb, or let the said Master and Wardens, or their deputies, or any of the head Officers or Gouernors of Cities, townes, or boroughs, wherein no such Masters or Wardens are, in searching and seising such wares as shalbe brought into this Realme, contrarie to the forme aforesaid, When euerie such person so offending, shall 50*l*. for euerie time so doing to the vse of the R. and J. b. l. to be recovered by A. J. &c. wherein no W. C. P. &c. 33. H.8.4.

withstanding seisure.

8 No Stranger borne out of this Realme shall vse the said Craft of Pewterers, nor worke any maner of vessel or other ware aforesaid, to be made of Tinne or Pewter, within any place of this Realme, vpon paine of 50*l*. of r. l. to the vse of the R. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. And also vpon paine of 50*l*. of the same pewter or tinne so wrought, in whose hands soeuer it may be found, or taken. 25. H.8.9. 33. H.8.4.

No stranger borne shall work pewter.

9 No persons being borne within this Realme, occupying or exercising the said craft of pewterers, shall resort into any strange regions, or countries, there to teach, or exercise the said craft of pewterers, vpon paine to loose the priuiledge and benefit of an English man. 25. H.8.9. 33. H.8.4.

No pewterer shall teach or vse his trade in a foraine region.

Physitions.

King Henrie the elght by his letters patents bearing date at Westminster the xxiij. day of September, in the tenth yeare of his Reigne. did erect, constitute, ordaine, and appoint a perpetuall Colledge of graue and learned men, which should openly practise physicke, within the Citie and Suburbes of London, and within seuen miles euerie way round about the same Citie, And did graunt that all men of the same facultie, of, and in the said Citie, should be in deed and name one bodie, and a comminalltie or colledge perpetuall. And that the same Comminaltie or Colledge may yearely for euer chouse and make of their Comminalties some wise man, and expert in science of physicke, to be president of the said Colledge or comminalltie, to ouersce, correct, and gouerne for the yeare, the foresaid Colledge or comminalltie, and all men of the same facultie and their affaires. And that the same President, and colledge, or comminalltie, should haue a perpetuall succession, and a common seale continually to be employed vnto the businesse and vse of the said president and colledge. And that they and their successors for euer shall be persons able, and of sufficient capacitie to purchase and possesse in fee and perpetuallie, any Lands, Tenements, Rents, and other possessions whatsoener. And that they and their successors might purchase as well within the citie as without, any Lands and Tenements whatsoener, not exceeding the value of 100*l*. p. by the yeare, notwithstanding the Statute of Mortmaine. And that they by the names of the President of the Colledge and Comminaltie of the facultie of physicke in London, may implead and be impleaded before any Iudges, in any Courts or Actions whatsoever. And that the foresaid president, and colledge, and comminalltie, and their successors may lawfully make honest and lawfull Congregations, Statutes, and Ordinances,

The Physitions in London made a body corporat.

President of the Colledge.

A common seale.

Sue, and be sued.

¶ m m w

Ordinances,

Phisitions.

Ordinances. Ordinances, for the government, oversight, and correction of the said Colledge or comminalltie, and of all men practising physicke within the said citie, and seauen miles round about, as necessitie requireth, without impediment of the King, his Heires, Successors, or any of his Officers. And that no man in the said citie, or within seuen miles compasse thereof, shall practise the said facultie, except he be admitted thereunto by the said president & comminalltie, or their successors for the time being, by the letters of the said president and comminalltie, sealed with their seale, upon paine of £. s. for euerie moneth, that any which is not admitted, shall practise the foresaid facultie, whereof one halfe to be imploied to the Kings vse, and the other to the vse of the president and comminalltie. And that the president and Colledge of the foresaid comminalltie, for the time being, and their successors for ever shall verely chouse foure, which shall haue the Suruey, Search, Correction, and Governance of all the Phisitions of the said Citie, vsing the facultie of physicke, within the same Citie, and of other fozaime Phisitions whatsoeuer, vsing the same Facultie within the same Citie and Suburbes, or within seuen miles compasse of the same Citie, and the punishment of them for their Offences, in not well executing, doing, and vsing thereof, and also the Suruey and Search of all manner of Medicines, and their receipts to be giuen, imploied, and vsed by the same phisitions, or any of them, to any of the Kings liege people, for the curing and healing of their diseases, as often and whensoever it shall be needfull for the profit of the same people, so that the punishment of the same Phisitions, vsing the said facultie, so offending in the premisses, be executed by Fines, Amerciaments, Imprisonment of their bodies, and by other reasonable and conuenient waies. And that neither the president, nor any of the said Colledge of Phisitions, nor their successors, nor any of them practising Physicke within the foresaid Citie, Suburbes, or elsewhere, shall be summoned, or put in Assises, Iuries, Enquests, Inquisitions, Attaints, and other Recognisances taken or summoned within the said Citie and Suburbes, before the Mayors and Shyriues, or Coroners of the said Citie, or any Officer or Minister of theirs, though the same Iuries, Inquisition, or Recognisances, were summoned upon Writs of Right. But the said Masters, Gouernours, Comminaltie, and their successors, and euerie of them, practising the said Facultie, shall be for ever discharged against the said King, his Heires, and Successors, and against the Mayor and Shyriues and the foresaid Citie, for the time being, and all their Officers. In which Letters patents there is a Prouiso, That the said Letters, or any thing therein contained, shall not be preiudiciall to the Citie of London, or the Liberties thereof.

Foure gouernours.

Not summoned in Iuries.

The liberties in London saved.

The corporations of Phisitions confirmed.

Eight Elects

3 President.

2 After by the Statutes made 14.H.8.5. & 1.Ma.9. the said Corporation of the said Comminaltie, and Fellowship of the Facultie of Physicke, & every grant, article, and other thing contained in the said Letters Patents, be proued, graunted, & confirmed, & cleerely authozised & admitted by the same, god, lawfull, available to the said bodie corporat & their successors for ever, in as large maner as may be taken, thought, and construed by the same.

3 There shall be eight persons of the said Comminaltie, which shall be called Elects, and the same Elects shall yearely chouse one of them to be president of the said comminalltie, & as often as any of the roomes of the said Elects shall be void by death, or otherwise, then the superuisors of the same Elects, within 30. or 40. daies after the death of any of them, shall chouse and admit one, or moze, as need shall require, of the most cunning & expert men of the said Facultie in London, to supplie the said roome and number of eight persons, so that he or they that shall be so chosen, be first by the said superuisors straitly examined, after a forme deuised by the said Elects, as also by the said superuisors approued. Ann. 14 Hen. 8. 5.

4 When

4 Whensoever the president of the said Colledge &c. or such as the said president and Colledge shall yearely authorize to search, examine, and punish all offenders in the said facultie, within the same citie and precinct, shall commit any such offender for his offences or disobedience (contrarie to any Article or Clause contained in the said Gaunt or Act made 14. Hen. 8.) to any Ward, Gaole, or prison within the said citie and precinct, (the Tower of London except) Then the Warden, Gaoler, or Keeper of the prison shall receive into his prison everie such person so offending, as shall be committed to him, and there shall safely keepe him at the proper costs of the said person so committed, without baile or mainprise, untill such offender or disobedient be discharged of the said imprisonment by the said president, and such persons as by the said colledge shall be authorized, upon paine that everie such Warden, Gaoler, &c. doing contrarie, shall forfeit to the use of the King, and the said president and colledge, the double of such fine and amerceiament, as such offender or disobedient shall be assessed to pay by such as the said president and colledge shall authorize, so that the same fine and amerceiament be not at any time above xx. l. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. I. M. 9.

Imprisonment of offenders.

5 The president of the said comminaltie, and every fellow thereof, and their successors shall be discharged to keepe any watch or ward in the citie of London, or suburbs of the same. And they nor any of them shall be chosen Constable, or any other officer in the said Citie or Suburbs. And if the said president or any of the said fellows be appointed or elected to any watch or ward, office of Constable, or other office within the said Citie or Suburbs, the same appointment and election shall be void. 32. H. 8. 40.

Physitions discharged to be officers in London.

6 No person out of the Citie of London, and Precinct of seven miles of the same (except he hath bin approued in the same) shall take upon him to exercise and occupie as a Physition in any Dioces within this Realme, but if he hath bin first examined and approued by the Bishop of the same Dioces, or (he being out of the Dioces) by his Vicar generall, eyther of them calling to them such expert persons in the said facultie, as to them shall seeme good, and giving their Letters testimoniall vnder their seale to him that they should so approue, upon paine of forfeiture, for everie moneth that he doth occupie not examined and approued, v. l. to the use of the R. and J. to be recovered by A. of debt, wherein no W. P. &c. But this Act is not preiudiciall to either of the Universities of Oxford or Cambridge, or to any privileges granted to them. 3. H. 8. 11. And in the same statute it was farther enacted, That no person within London or seven miles compass, should occupie as a Physition, except he be first pruned, and admitted by the Bishop of London, or the Deane of Paules, calling to him foure Doctors of Physicke. But S. 1. & 2. Quere.

Every Physition shall be allowed by the Bishop of the Dioces.

7 No person shall be suffered to exercise or practise in Physicke throught England, untill he be examined at London by the president of the Colledge of the facultie of Physicke, and thre of the Elects, and hath from the said presidents or Elects letters Testimonials of their approuing and examination, except he be a graduat of Oxford, or Cambridge, which hath accomplished all things for his forme without any grace. 14. H. 8. 5.

Every physition shall be allowed by the president and thre elects.

8 The President for the time being, Commons, and Fellowes of the Fellowship of the Facultie of Physicke in London, and their Successors, may yearely elect foure persons of the said Fellowes of the best learned, wisest, and most discreet, and the said foure persons so elected, after a corporall oath to them ministred by the said president or his deputie, haue authoritie as often as they shall thinke convenient, to enter into the house of all and everie Apothecarie, vising the mysterie of an Apothecarie within the said city, onely to search, view, and see such Apothecaries wares, drugges and stuffe, as the said Apothecaries or any of them haue in their

Foure Physitions shall search Apothecaries wares

Phyſitions.

Piracie.

their houſes, and all ſuch wares, drugges and ſtuffe, as the ſaid foure perſons ſhall then find defectiue, corrupted, and not meet to be miniſtred in any medicines for the health of mans body, the ſame foure perſons calling to them the Wardens of the ſaid myſterie of Apothecaries within the ſaid citie, or one of them, ſhall cauſe to be burned, or otherwiſe deſtroy the ſame, as they ſhall thinke meet. 32. H. 8. 40. But if the ſaid Warden or Wardens doe reſuſe, or delay his or their comming thereunto forthwith, when the ſaid Preſident, or foure of his Colledge elect, doe call vpon him or them: then the ſaid phyſitions may and ſhall execute that ſearch and view, and the due puniſhment of the Apothecaries for any their euill and faultie ſtuffe, without the aſſiſtance of any of the ſaid Wardens. 1. M. 9. And if any of the ſaid Apothecaries at any time do obſtinately or willingly reſuſe, or denie the ſaid foure perſons to enter into his houſe, for the cauſes befoze rehearſed, then for euerie time that hee doth ſo offend, he ſhall forfeit to the B. and Inf. v. R. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 32. H. 8. 40. And euerie ſuch perſon as will reſiſt ſuch ſearch, ſhall forfeit. x. R. to the B. and the ſaid preſident and colledge, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 1. M. 9.

Elects reſuſing to be ſworne, or to make ſearch.

Other magiſtrates ſhall aſſiſt the Phyſitions.

9 If any of the ſaid foure perſons ſo elected, doe reſuſe to be ſworne, or after his oath to him miniſtred, doe obſtinately reſuſe to make the ſaid ſearch once in the yeare, at ſuch time as they ſhall thinke conuenient, hauing no lawfull impediment by ſickenneſſe or otherwiſe to the contrarie, then for euerie ſuch obſtinat default, euerie of them making default, ſhall forfeit xl. s. 32. H. 8. 40.

10 All Juſtices, Mayors, Sherifes, Bayliſes, Conſtables, and other Miniſters and Officers within the Citie and Suburbes of London, and ſeuene miles compaſſe of the ſaid Citie, vpon requeſt to them made, ſhall aſſiſt and aſſiſt the preſident of the ſaid colledge, and all perſons by them from time to time authoriſed, for the due execution of the ſoſaid Statutes, 14. H. 8. & 32. H. 8. vpon pain for not giuing of ſuch ayde, helpe, and aſſiſtance, to run in contempt of the Qu. Ma. her heires and ſuccesſors. 1. M. 9.

1 No Phyſitions may practiſe Surgerie. S. Surgeons 2.

Piracie.

Triall of offences done within the Admirals iuriſdiction.

ALL Treasons, Felonies, Robberies, Murders, and Confederations, committed vpon the Sea, or in any other Haven, Riuer, Creeke, or place where the Admirall hath, or pretendeth to haue iuriſdiction, ſhall be enquired, tried, heard, determined, and iudged in ſuch ſhires and places in the Realme, as ſhall be limited in the Kings commiſſion or commiſſions to be directed for the ſame, in like ſort, as if any ſuch offences had bin committed vpon the land. And ſuch commiſſions ſhall be had vnder the great Seale, directed to the Admirall, or his lieutenant, and deputie, and to three or foure ſuch other as ſhall be appointed by the Lord Chancelor as oft as need ſhall require, to heare and determine ſuch offences after the common courſe of the lawes of this land vſed for treasons, felonies, robberies, murders, and confederacies of the ſame, committed vpon the land within this Realme. 28. H. 8. 15. See Treason 13. That the triall of treason ſhall be according to the due courſe of the common law. Et ideo quare.

The Commissioners authorized.

2 Such perſons to whom ſuch commiſſions ſhall be directed, or foure of them at the laſt, ſhall haue power to enquire of ſuch offences, by the oathes of twelve good and lawfull inhabitants in the ſhire limited in their commiſſion, in ſuch manner, as if ſuch offences had bene committed vpon the land within the ſame ſhire: And euerie indictment found, and preſented befoze ſuch Commissioners, of anie treasons, felonies, robberies, murders, manſlaughters, or ſuch other offences committed

committed vpon the seas, or vpon any other haven, riuer, or creeke, shall be good and effectvall in the law. And if any person happen to be indicted for any such offence done vpon the Seas, or in any other place aboue limited, then such order, processe, iudgement, and execution, shall be vsed and made to and against euerie such person so indicted, as against traytors, felons and murderers, for treason, felonie, robbery, murder, or other such offences done vpon the land. And the triall of such offence (if it be denied by the offender) shall be had by twelue lawfull men inhabiting in the shire limited within such commission, and no challenge to be had for the hundred. And such as shall be conuict of any such offence by verdict, confession, or proces, by authoritie of any such commission, shall suffer such paines of death, losses of lands, goods and cattels, as if they had bin attainted and conuict of any of the said offences done vpon the land. An 28.H.8.15.

3 This Act shall not be preiudiciall to any person for taking any victuall, cables, ropes, ankers, or sailes, which be compelled by necessitie, taketh in anie ship, which may conveniently spare the same, so the same person pay out of hand for the same victuall, cables, &c. money or money worth, to the value of the thing so taken, or both deliuer for the same a sufficient bill obligatorie, to be paid in forme following, viz. if the taking of the same things be on this side the Straits of Parrok, then to be paid within foure moneths, and if it be beyond the said Straits, then to be payde within twelue moneths next ensuing the making of such bills, and that the makers of such bills truly pay the same debt at the day limited within the said bills. 28.H.8.15.

Things taken vpon necessitie.

4 Whensoever any such Commission for the punishment of anie of the offences aforesaid, shall be directed to any place within the iurisdiction of the five ports: Then it shall be directed vnto the Lord Warden of the said Ports, or his deputie, and vnto thre or foure such other persons, as the Lord Chaunceloz shall appoint. And euerie inquisition and triall there, of any of the offences aforesaid, shall be made by the inhabitants in the said five Ports, or the members thereof. 28.Hen.8.15. See Admiral 2.

Commissions directed vnto the 5 ports.

Plague.

The Mayor, Baylives, head Officers, and Iustices of Peace, of euerie Citie, Borough, Towne corporate, and places priuiledged, where any Mayor and Baylives, head Officers, or Iustices of Peace are, or shall be, or any two of them, shall have authoritie from time to time, to take and asseesse all and euerie inhabitant, and all houses of habitation, lands, tenements, and hereditaments within the said Citie, Borough, Towne corporate, and places priuiledged, or the liberties or precincts thereof, at such reasonable taxes and payments, as they shall thinke fit, for the reasonable reliefe of such persons which shall be infected with the plague, or inhabiting in houses and places infected in the same Cities, Boroughs &c. and from time to time to leuie the same taxes of the goods of euerie person refusing or neglecting to pay the said taxes, by warrant vnder the hand and seale of the Mayor and Baylives, and head Officers aforesaid, or two such Iustices of peace, to be directed to any person or persons for the execution thereof. And if the partie to whom such warrant is or shall be directed, shall not find any goods to leuie the same, and the partie taxed shall refuse to pay the same tax, Then vpon returne thereof the said Mayor, Baylives, head Officers, or Iustices of Peace, or any two of them, shall by like warrant vnder their hands and seales cause the same person so taxed, to be arrested, and committed to the Gaole, without bail or mainprize, vntill he shall satisfie the same taxation, and the arrearages thereof. 1.Iac.3.1.

Taxing others for the reliefe of the sicke of the plague.

2 If the inhabitants of any such citie, borough, towne corporate, or place priuiledged

Plague.

The inhabitants unable to relieve the infected.

niledged, shall find themselves unable to relieve their said poore infected persons, and others as aforesaid, Then by on certifiat thereof by the Mayor, Bayliffe, head Officers, and other the said Justices of Peace, or any two of them, to the Justices of peace of the Countie, of, or nere to the said Citie, Borough, Towne corporate, or privileged place so infected, or any two of them to be made, The said Justices of or nere the said Countie, or any two of them, shall or may take and asseſſe the inhabitants of the Countie within five miles of the said place infected, at such reasonable weekly taxes, and rates, as they shall thinke fit, to be levied by warrant from the said two Justices of the peace, or or nere the Countie, by sale of goods, and in default thereof by imprisonment of the bodie of the partie taxed, as aforesaid. 1. Jac. 31.

Infection in places where there be no J. of Peace.

3 If any such infection shall be in any Borough, Towne corporate, or privileged place, where there are, or shall be no Justices of Peace, or in any Village or Hamlet within anie Countie, Then it shall and may be lawfull for anie two Justices of the said Countie, wherein the said place infected is or shall be, to take and asseſſe the Inhabitants of the said Countie, within five miles of the said place infected, at such reasonable weekly taxes and rates, as they shall thinke fit for the reasonable reliefe of the said places infected, to be levied by warrant from the said Justices of peace of the same Countie, by sale of goods, and in default thereof, by imprisonment of the bodie of euerie partie so taxed, as aforesaid: The same taxes made by the said Justices of the Countie, for the reliefe of such Cities, Boroughs, towns corporate, and places privileged, where there are no Justices of peace, to be disposed as they shall thinke fit. And where there are Just. of peace, then in such sort as to the Mayor, Bayliffes, head Officers, and Justices of peace there, or any two of them, shall seeme fit and convenient: All which taxes and rates made within any such Citie, Borough &c. shall be certified at the next Quarter Sessions, to be holden within the same Citie, Borough, &c. And the said taxes and rates made within any part of the said Countie, shall in like sort be certified at the next Quarter Sessions to be holden in and for the said Countie. And if the Ju. of peace at such Quarter Sessions, respectively, or the moze part of them, shall thinke it fit the said tax or rate should continue, or be enlarged, or extend to any other parts of the countie, or otherwise determined, then the same to be enlarged, extended, or determined, increased, or taxed and levied, in manner and forme aforesaid, as to the said Justices at the Quarter Sessions respectively shall be thought fit and convenient. And euerie Constable, and other head Officer that shall wilfully make default in leuying such money as they shall be commaunded by the said warrant or warrants, shall forfeit for euerie such offence ten shillings, to be imploied on the charitable uses aforesaid. 1. Jac. 31.

An infected person commaunded to keep his house disobeyeth.

4 If any person or persons infected, or being dwelling in any house infected, shall be by the Mayor, Bayliffes, Constable, or other head Officer, of any Citie, Borough, Towne corporate, privileged place, or market towne, or by anie Justice of Peace, Constable, Headborough, or other officer of the countie (if anie such infection be out of any Citie, Borough, Towne corporate, privileged place, or market towne) commaunded or appointed as aforesaid, to keepe his or their house, for auoyding of further infection, and shall notwithstanding wilfully and contemptuously disobey such direction and appointment, offering and attempting to breake and go abroad, and to resist, or going abroad and resisting such keepers and watchmen, as shall be appointed, as aforesaid, to see them kept in, Then it shall be lawfull for such watchmen, with violence to enforce them to keep their houses. And if any hurt come by such enforcement to such disobedient persons, then the said keepers, watchmen, and any other their assciats, shall not be impeached therefore. And if any infected person as aforesaid, so commaunded to keepe house shall contrary to such commaund

commandement wilfully and contemptuously go abroad, and shall conuerse in company, hauing any infectious soare vpon him vncured, then such person and persons shall be taken and adiudged a felon, and suffer death as in case of felonie. But if such person shall not haue such soare found about him, then for his said offence to be punished as a bagabond should or ought to be by the statute made 39. El. 4. for the punishment of bagabonds, and further be bound to his or their good behaviour for one whole yeare. But no attainder of felonie by vertue of this Act shall extend to any attainder or corruption of blood, or forfeiture of any goods, chattels, lands, tenements, or hereditaments. 1. Iac. 3. 1.

5 It shall be lawfull for Just. of P. Mayors, Baylifes, and other head officers aforesaid, to appoint within their severall limits, searchers, watchmen, examiners, keepers and buriers for the persons and places respectively, infected as aforesaid, and to minister vnto them othes for the performance of their offices of searchers &c. and giue them other directions, as vnto them for the present necessitie shall seeme good in their discretions. 1. Iac. 3. 1.

Attendants appointed by on the infected

6 No Mayor, Baylifes, head Officers, or any Iustices of Peace shall by force or pretext of any thing in this Act contained, doe or execute any thing before mentioned within either the Universities of Cambridge or Oxford, or within any Cathedral Church, or the liberties or precincts thereof, in this Realme of England, or within the Colledges of Eaton, or Winchester: But the Vicechancelor of either of the Universities for the time being, within eyther of them respectively, and the Bishop and Deane of euery such Cathedral Church, or one of them, within such Cathedral Church, and the Provost or Warden of either of the said colledges within the same, shall haue all such authoritie, and shall doe and execute all and euery such act and acts, thing and things, in this act before mentioned, within their severall precincts and iurisdictions abovesaid, as fully to all intents, as any Mayor, Baylifes, head officers or Iustices of peace, within their severall precincts and iurisdictions, may elsewhere by force of this Act do and execute. 1. Iac. 3. 1. To continue no longer then vntill the end of the first Session of the next Parliament.

The Universities, Cathedral Churches, Eaton, Winchester.

Playes and Games.

N^o person by himselfe, or any other shall for his gaine or liuing, keepe or maintaine any common house, alleys, or place of bowling, quoying, closh, cails, halfe bowles, tennis, dicing, tables, or carding, or any other manner of game prohibited by any statute, or any vnlawfull new game now inuented or made, or any other new vnlawfull game hereafter to be inuented, found or made, vpon paine to forfeit for euery day keeping or maintaining, or suffering any such game to be had, kept, executed, plaied, or maintained within any such house, garden, alleys, or other place, contrarie to the forme and effect aforesaid, xl. s. And also euery person vsing and haunting any of the said houses and places, and there playing, shall forfeit for euery time so doing vij. s. viij. d. 33. H. 8. 9.

Maintenance of houses for vnlawfull games.

Playing any vnlawfull games.

2 If any person sue for any placard to haue common gaming in his house, contrarie to this statute, Then it shall be contained in the same placard, what game shall be vsed in the same house, and what person shall play thereat. And euery placard graunted to the contrarie shall be void. And also the parties obtayning any such placard, before he put the same in execution, shall be bound with sufficient suerties with him by recognisance in the Chauncerie, in a certaine summe to be appointed by the Lord Chauncelor, that he shall not vse the said placard contrarie to the forme thereof. 33. H. 8. 9. But by the statute made Anno 2. & 3. Phil. & Mar. 9. Euery licence, placard, or graunt, before that time made to any person or persons,

Placards.

Playes and Games.

Licences
made void.

sons, for the having, maintayning or keeping of bowling allies, dicing houses, or other unlawfull games, prohibited by the Lawes and Statutes of this Realme, were made void.

Persons pro-
hibited to play
at unlawfull
games.

3 No Artificer, or Craftsmen of any Handycraft, Husbandman, Apprentice, Labourer, Servant at Husbandrie, Journeyman, or Servant of Artificers, Parishners, Fishermen, Watermen, or any Servingman, shall play at the Tables, Tennis, Dice, Cards, Bowles, Cloff, Copting, Logating, or any other unlawfull games, out of Christmas, under the paine of twentie shillings, to be forfeited for every time, and in Christmas, to play at any of the said games in their Masters houses, or in their Masters presence. But it is lawfull to every Master, to licence his servants to play at cards, dyce, or tables, with their Master, or any other Gentleman repairing to their Master, openly in his house, or in his presence, and it is lawfull for every such servant, for everie time so being licensed as is aforesaid, to play, &c. 33. H. 8. 9.

Playing by
licence.

Bowling.

4 No person shall at any time play at any bowle or bowles, in open places out of his garden or orchard, under the paine for every time so offending, to forfeit by s. viij. s. But it is lawfull to every Gentleman, and other, having lands, tenements, or other yearly profits for terms of life, in his owne right, or in his wives, to the yearly value of 100. l. or above, to command or licence his servants of his house, for to play within the precinct of his house, garden, or orchard, at cards, dice, tables, bowles, or tennis, as well amongst themselves, or other repairing to the said house, and they so playing by commandment or licence, shall not incurre any penaltie contained in this act for the same. 33. H. 8. 9.

Magistrates
may repress
unlawfull
games.

5 It is lawfull to all and everie the Justices of peace in every Shire, Mayors, Sherrifes, Baylives, and other head Officers within every Citie, Towne, and Borough, from time to time, as well within Liberties as without, as need and cause shall require, to enter and resort into all houses, places, and allies, where unlawfull Games shall be suspected to be holden or bled, contrary to this Statute: And as well the keepers of the same, as also the persons there resorting and playing, to arrest and imprison, and to keepe in prison, untill the keepers of the said Playes and Games, have found suerties to the Kings use, to be bound by Recognisance, or otherwise, no longer to keepe or occupie any such house, play, game, alley, or place. And also the persons there so found, shall in like case be bound by themselves, or else with suerties, by the discretion of the Justices, Mayors, Sherrifs &c. no more to play, haunt, or exercise from thenceforth, in, at, or to any of the said places or games. And all Justices of peace, Mayors, and head Officers &c. and everie of them, finding or knowing any person using any unlawfull games, contrary to this Statute, have authoritie to commit every such offender to a ward, there to remaine without baile or mainprise, untill such time they so offending bee bound by Obligation to the Kings use, in such summe of money, as by the discretion of the said Justices, Mayors, Baylives &c. shall be thought reasonable, that they or any of them shall not from thenceforth use such unlawfull games. 33. H. 8. 9. See Inst. of peace 64.

Officers shall
make search
where unlaw-
full games be

6 If the Mayors, Sherrifes, Baylives, Constables, and other head officers within their Cities, Boroughs, and Townes, as well within Franchises as without, doe not make due search weekly, or at the furthest once every moneth, if the case so require, in all places, where any houses, allies, plaies or places of unlawfull games shall be suspected to be had and maintained, and do not execute the stat. in all things according to the purport of the same: Then everie such Mayor, or other head Officer, shall forfeit for every moneth not making such search, nor executing the same, &c. s. And all Mayors, Baylives, Sherrifes, and other head officers, shall once every quarter make Proclamation of this Statute in every Market holden within their severall

Proclamation
of this Statute.

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all iurisdiction. And in like sort shall the Justices of Assise, gaole delivrie, & peace, in their severall circuits and Sessions before them holden, to the intent everie person may have knowledge of the same. 33. H. 8. 9. S. Corporations 23.

7 Where any forfeiture given by this Stat. provided for the maintenance of Artilerie, and debarring of unlawfull games, shall be found in any Franchise, Leete, or Lawday, the Lord of the same shall have the one moitie thereof, and any of the subjects shall have the other, that will sue for the same in any of the Kings Courts. And where such forfeiture shall be found out of the precinct of any Franchise, Leete, or Lawday, the one moitie thereof shall be to the King, and the other to any of his subjects that will sue for the same, by A. J. &c. wherein no W. C. P. &c. But all informations, actions, suits, &c. that shall be sued upon any part of this Stat. shall be commenced within the yeare after the offence committed, or otherwise no advantage thereof shall be taken. 33. H. 8. 9. S. Actions popular 11.

who shall have the forfeitures

8 If any person or persons doe, or shall in any Stage-play, Interlude, Shew, May game, or Pageant, jestingly and prophaneely speake or use the holy name of God, or of Christ Jesus, or the Holie Ghost, or of the Trinitie, which are not to be spoken but with feare and reverence, he shall forfeit for everie such offence by him or them committed, ten pounds to the King and Informer, to be recovered in any Court of Record at Westminster, wherein no C. P. or W. &c. 3. Jac. 2. 1.

Players abusing the name of God.

Pleading, Pleadars.

A All pleas which are to be pleaded in any of the Kings Courts, before any of his Justices, or in his other places, before any of his other Ministers, or in the Courts and places of any other Lords within the Realme, shall be pleaded, shewed, and defended, answered, debated, and iudged in the English tongue, and shall be entered and inrolled in Latine. And the Lawes and Customes of the Realme, termes and processes shall be holden and kept, as they be and have bene before this time: And by the auncient termes and formes of the declarations no man shall be prejudiced, so that the matter of the action be fully shewed in the declaration, and in the writ. 36. E. 3. 15.

Pleading in the English tongue.

2 If any Action, Bill, Plaint, or Suit upon the case, trespassse, Batterie or false Imprisonment, shall be brought after forty dayes next after the end of this Session of Parliament, in any of his Majesties Courts at Westminster, or else, where, against any Justice of Peace, Mayor, or Bailiffe of Citie or Towne Corporate, Headborough, Portreeve, Constable, Tythingman, Collector of Subsidie or Fifteenes, for or concerning any matter, cause, or thing by them or any of them done, by vertue or reason of their, or any of their office or offices, it shall be lawfull to and for everie such Justice of Peace, Mayor, Bailiffe, Constable, or other officer or officers before named, and all others which in their aide or assistance, or by their commaundement, shall doe any thing touching or concerning his or their Office or Offices, to plead the generall issue, that he or they are not guiltie, and to give such speciall matter in evidence to the Jurie which shall trie the same, which speciall matter being pleaded had bene a good and sufficient matter in Law, to have discharged the said defendaunt or defendants of the trespassse or other matter laid to his or their charge: And if the verdict shall passe with the said Defendant or Defendants in any such Action, or the Plaintiffe or Plaintiffes therein become non-suitte, or suffer any discontinuances thereof, in everie such case the Justices or Justice, or such other Judge before whom the said matter shall be tried shall by force and vertue of this Act allow unto the Defendant or Defendants his or their double costs, which he or they shall have sustained, by reason of their wrongfull veration in defence of the said Action or suit: For which the said Defendant or Defendants shall

In an action being brought against an officer he may plead not guiltie.

The defendant allowed double costs of suit.

Poore people.

haue like remedy, as in other cases where Costs by the Lawes of this realm are giuen to the defendants: And this Act to continue for seuen yeres and from thence to the end of the next Parliament after the said seuen yeres. 7. Jac. 5.

1 The penaltie of Pleadere which doe deceiue the Court or the partie. See De. ccir 1.

2 Beaupleader, S. 52. H. 3. 11. 3. E. 1. 8. 1 E. 3. 8.

Poore people.

The help and
speed of poore
persons in suit

Euerie poore person which shall haue cause of action against any other, shall haue by the discretion of the Chaunceloz, writs Originall, and writs of Subpoena, according to the nature of his cause, nothing paying to the King for the seales of the same, nor to any person for writing of the same writs: And the said Chaunceloz shall assigne such of the Clerks, which shall vse the making and writing of the same writs, to write the same ready to be sealed, and also learned Counsell and Attournyes for the same, without any reward taking therefoze. And after the sayd writs be returned, if it be before the R. in his Bench, the Just. there shall assigne to the same poore person Counsell learned by their discretions, which shall giue their Counsell nothing taking for the same. And in likewise the Justices shall appoint Attournyes for the same poore person, and all other officers requisite to be had for the speed of the said suits, which shall do their duties without any rewards for their counsell, help, and businesse in the same. And the same law and order shall be obserued of all such suits to be made, before the R. Just. of his Common Pleas, and Barons of his Exchequer, and all other Justices in Courts of Record where any such suits shalbe. 11. H. 7. 12.

The Church-
wardens and
householders
Overseers of
the poore.

The Over-
seers dutie.

2 The Churchwardens of euery Parish, and foure, thre, or two substantiall householders there, as shall be thought meet, hauing respect to the proportion and greatnesse of the same Parish and Parishes, to be nominated yearly in Easter weeke, or within one month after Easter, vnder the hand and seale of two or moze Justices of the Peace in the same County, wherof one to be of the Quorum, dwelling in or nere the same Parish, or diuision where the same Parish doth lye shalbe called Overseers of the poore of the same Parish: And they, or the greater part of them, shall take order from time to time, by and with the consent of two or moze such Justices of Peace, as is aforesaid, for setting to worke of the children of all such whose parents shall not by the sayd Churchwardens and Overseers, or the greater part of them, be thought able to keepe and maintain their children: and also for setting to worke all such persons married or unmarried, hauing no means to maintain them, as vse no ordinarie and dayly trade of life to get their living by, and also to raise weekly or otherwise (by taxation of euerie Inhabitant, Parson, Vicar, and other, and euery occupier of lands, houses, tithes impropriat, or appropriation of tithes, cole mines, or saleable vnderwoods, in the sayd Parish, in such competent summe and summes of mony, as they shall thinke fit) a convenient stocke of flaxe, hemp, wooll, threed, yron, and other necessarie ware and stufte to set the poore on worke: and also competent summes of mony, for, and towards the necessarie reliefe of the lame, impotent, old, blind, and such other among them being poore, and not able to worke, and also for the putting out of such children to be apprentices, to be gathered out of the same Parish, according to the abilitie of the sayd Parish, and to do and execute all other things, as well for the disposing of the said stocke, as otherwise concerning the premises, as to them shall seeme convenient: Which said Churchwardens and Overseers so to be nominated, or such of them as shall not be let by sicknesse or other iust excuse to be allowed by such two Justices of Peace, or moze, shall meete together at the least once euery moneth in the Church of the

said Parish, vpon the Sunday in the afternone, after Divine seruice, there to consider of some good course to be taken, and some met orders to be set down in the premises, and shall within foure dayes after the end of their yeare, and after other Ouerseers nominated as aforesaid, make and yeeld vp to such two Justices of the Peace, as is aforesaid, a true and perfect accompt of all such summes of money by them receiued, or rated and selled, and not receiued: and also of such stocke as shall be in their hands, or in the hands of any of the poore to worke, and of all other things concerning their sayd office, and such summe or summes of money as shall be in their hands, shall pay and deliuer ouer to the said Churchwardens, and Ouerseers newly nominated and appointed, as aforesayd vpon paine that euerie one of them absenting themselves without lawfull cause, as aforesaid, from such monethly meeting for the purpose aforesaid, or being negligent in their office, or in the executions of the orders aforesaid, being made by and with the assent of the said Justices of peace, or any two of them before mentioned, to forfeit for euery such default xx. s. 43. Eliz. 2.

The Ouerseers accompt

The Ouerseers forfeiture.

3 If the said Justices of Peace doe perceiue that the Inhabitants of any Parish are not able to leuie amongst themselves sufficient summes of money for the purposes aforesaid, Then the said two Justices shall and may take, rate, and assesse, as aforesaid, any other of other Parishes, or out of any Parish within the Hundred where the sayd Parish is, to pay such summe and summes of money to the Churchwardens and Ouerseers of the said poore Parish, for the said purposes, as the said Justices shall thinke fit, according to the intent of this Law. And if the said Hundred shall not be thought to the said Justices, able and fit to relieue the said seueral Parishes, not able to prouide for themselves as aforesaid, then the Justices of Peace at the generall Quarter Sessions, or the greater number of them, shall rate and assesse, as aforesaid, any other of other Parishes, or out of any Parish within the said County, for the purposes aforesaid, as in their discretion shall seem fit. 43. Eli. 2.

A provision where the inhabitants are not able to reuue their poore.

4 And it shall be lawfull for the said Churchwardens and Ouerseers, or any of them, by warrant from any two such Justices of Peace, to leuie as well the sayd summes of money, and all arrerages of euery one that shall refuse to contribute according as they shall be assessed, by distresse and sale of the offenders goods, as the summes of money, or stocke which shall be behind vpon any accompt to be made as aforesaid, rendring to the partie the ouerplus: and in defect of such distresse, it shall be lawfull for any such two Just. of P. to commit him or them to the common gaole of the County, there to remaine without baile or mainprise, til payment of the said summe, arrerages and stocke. And the said Justices of peace, or any one of them, to send to the house of correction, or common gaole, such as shall not imploy themselves to worke, being appointed thereunto as aforesaid. And also any two such Just. of peace, to commit to the said prison euerie one of the said Churchwardens, and ouerseers, which shall refuse to accompt, there to remaine without baile or mainprise, til he haue made a true accompt, and satisfied and paid so much as vpon the said accompt shall be remaining in his hands. 43. Eli. 2.

A remedy for the leuieing of money assessed.

Imprisonment in default of distresse. The punishment of those which wil not worke.

5 It shall be lawfull for the said Churchwardens and Ouerseers, or the greater part of them, by the assent of any two Just. of the peace aforesaid, to bind any such children as aforesaid, to be apprentices, where they shall see convenient, till such man child shall come to the age of xxiij. yeares, and such woman child to the age of xxi. yeares, or the time of her marriage: The same to be as effectuell to all purposes, as if such child were of full age, and by Indenture of covenant bound him or her selfe. 43. Eli. 2. All persons to whom the Ouerseers of the poore shall according to this Act bind any children apprentices, may take, receiue, and keep them as apprentices Any former Stat. to the contrary notwithstanding. 1. Jac. 25.

The Ouerseers may bind children apprentices.

Poore people.

Building of
houses on the
waist for the
poore to inha-
bit.

6 It shall and may be lawfull for the sayd Churchwardens and Duerfiers, or the greater part of them, by the leaue of the Lord or Lords of the manno, whereof any waist or common within their Parish is or shall be parcell, and upon agreement befoze with him or them made in writing, vnder the hands and seales of the Lord or Lords, or otherwise, according to any order to bee set downe by the Iustices of Peace of the said County, at their generall Quarter Sessions, or the greater part of them, by like leaue and agreement of the sayd Lord or Lords, in writing vnder his or their hands and seales, to erect, build, and set by in fit and conuenient places of habitation, in such waist or common, at the generall charges of the Parish, or otherwise of the Hundred or Countie as aforesaid, to be taxed, rated, and gathered in manner befoze expessed, conuenient houses of dwelling for the said impotent poore, and also to place Inmates, or more families than one in one cottage or house, One Act made in the xxxj. yeare of her Maiesties raigne, intituled, An Act made against the erecting and maintaining of Cottages, or any thing therein contained, to the contrarie notwithstanding: Which Cottages and places for Inmates, shall not at any time after be vsed or imployed to or for any other habitation, but only for impotent and poore of the same Parish, that shall be there placed from time to time by the Churchwardens and Duerfiers of the poore of the same Parish, or the most part of them, vpon the paines and forfeitures contained in the said Act made Anno 31. El. 7. 43. El. 2.

A remedy for
them which
find them-
selues grieved

7 Provided alwaies, that if any person or persons shall find themselves grieved with any crosse or tare, or other Act done by the said Churchwardens, or other persons, or by the said J. of P. That then it shall be lawfull for the J. of peace at their generall quarter Sessions, or the greater number of them, to take such order there in, as to them shall be thought conuenient, And the same to conclude and bind all the said parties. 43. El. 2.

poore relieved
by their pa-
rents or chil-
dren.

8 The father and grandfather, and the mother and grandmother, and the children of every poore, old, blind, lame, and impotent person, or other poore person not able to worke, being of a sufficient abilitie, shall at their owne charges relieue and maintaine every such poore person in that manner, and according to that rate, as by the Just. of Peace of that Countie where such sufficient persons dwell, or the greater number of them, at their generall quarter Sessions shall be assessed, vpon paine that euerie one of them to forfeit xx. s. for euery moneth which they shall faile therein. 43. El. 2.

head officers
of corporate
townes haue
authoritie of
Just. of peace.

9 The Maiors, Bailifes, or other head Officers of euerie Corporate Towne, and place, and City within this Realme, being Justice or Iustices of Peace, shall haue the same authoritie by vertue of this Act, within the limits and precincts of their iurisdiccions, as wel out of Sessions, as at their Sessions, if they hold any, as is herein limited, prescribed, and appointed to J. of the P. of the county, or any two or more of them, or to the Just. of peace in their quarter Sessions, to do and execute for all the vses and purposes in this Act prescribed, and no other Just. or Iustices of peace to enter or medle there. And euery Alderman of the Citie of London within his Ward, shall and may do and execute in euery respect so much as is appointed and allowed by this act to be done and executed by one or two J. of P. of any county within this Realme. 43. El. 2.

A parish with
in two Coun-
ties, or part
lying within
a libertie, and
part without.

10 If it shall happen any parish to extend it selfe into more Counties than one, or part to lie within the liberties of any City, Place, or Towne corporate, and part without, then aswell the Iustices of peace of euery Countie, as also the head Officers of such citie, place, or towne corporate, shall deale and intermeddle onely in so much of the sayd Parish, as lieth within their libertie, & not any further, and euery of them respectiuelly within their severall limits, wards, & iurisdiccions, to execute the ordinances befoze mentioned, concerning the nomination of Duerfiers, the consent

consent to binding Apprentices, the giving warrant to leuy taxations unpaid, the taking account of Churchwardens & ouerscers, & the committing to prison such as refuse to account, or deny to pay the arrearages due upon their accounts. And yet neuertheless, the said Churchwardens and Ouerscers, or the most part of them, of the said Parishes that do extend into such severall limits and iurisdicions, shall without diuiding themselves duely execute their Office in all places within the said Parish, in all things to them belonging, and shall duely exhibite and make one account befoze the said Head Officer of the Towne or place Corporat, and one other befoze the said Iustices of peace, or any such two of them, as is aforesaid.

43. Eliz: 2.

11 If in any place within this Realm there happen to be hereafter no such nomination of Ouerscers perely as is befoze appointed, Then every Iustice of peace of the county, dwelling within the diuision where such default of nomination shall happen, & every Maior, Alderman, & Head Officer, of City, Towne, or place corporat, where such default shall happen, shall forfeit for every such default five pounds to be employed towards the reliefe of the poore of the same parish, or place corporat, and to be leuied as is aforesaid of their goods, by warrant from the general sessions of the peace of the said County, or of the same City, Towne, or place Corporat, if they keepe Sessions. 43. El. 2.

The forfei-
ture for not
naming ouer-
scers.

12 All penalties and forfeitures befoze mentioned in this Act shall go and be im-
ployed to the use of the poore of the same parish, and towards a stock and habitation
for them, and other necessarie uses and reliefe, as befoze in this act are mentioned
and expressed, and shall be leuied by the said churchwardens and ouerscers, or one of
them, by warrant from any two such Ju. of peace, Maior, Alderman, Head Officer
of City, Town, or place Corporat, respectiue within their severall limits, by dis-
tresse and sale, as aforesaid, or in defect thereof, it shall be lawfull for any two such
Iustices of peace, & the said head Officers &c. to commit the offendors to prison, there
to remaine without baile or mainprize, till the said forfeitures shall be satisfied and
paid. 43. El. 2.

How the for-
feiture shall be
leuied and im-
ployed.

13 The Iustices of peace of every County, or place Corporat, or the more part
of them, in their Generall Sessions to be holden next after the Feast of Easter
next, and so yearely as often as they shall thinke meete, shall rate euery Parish
to such a weekly summe of money, as they shall thinke conuenient, so as no Pa-
rish be rated aboue the summe of six pence, nor vnder the summe of an halfe peny,
weekly to be payd, and so as the totall summe of such taxation of the Parishes in
euery County, amount not aboue the rate of two pence for euery Parish in the
said Countie, which summes so taxed, shall be yearely assessed by the agreement of
the parishioners within themselves, or in default thereof by the Churchwardens
and petie Constables of the same Parish, or the more part of them, or in default
of their agreement, by the order of such Iustice or Iustices of peace, as shall dwell
in the same Parish, or (if none be there dwelling) in the parts next adjoining:
And if any person shall refuse or neglect to pay any such portion of money so taxed,
it shall be lawfull for the said Churchwardens and Constable, or any of them, or
in their default, for any Iustices of peace of the said Limit to leuie the same by
distresse, and sale of the goods of the party so refusing or neglecting, rendering to
the party the ouerplus, and in default of such distresse, it shall be lawfull to any
Iustice of that Limit, to commit such person to the said Prison, there to re-
maine without Baile or Mainprize, till hee haue payed the same. 43. Eliza-
beth. 2.

The Iustices
shall rate eue-
ry parish to a
weekly sum.

Refusing to
pay the money
taxed.

14 The said Iustices of peace at their generall quarter Sessions to be holden
at the time of such taxation, shall set downe what competent summes of money
shall be sent quarterly out of euery Countie or place corporat, for the relief of the
poore

Reliefe of the
prisoners in
the H. Bench,
Marshalse,
Hospitals.

Poore people.

poore prisoners of the Kings Bench and Marshalse, and also of such Hospitals, and Almes houses, as shall be in the same Countie, and what summes of money shall be sent to euerie one of the said Hospitals and Almes houses, so as there be sent out of euerie Countie yearely twentie shillings at the least to each of the sayde prisons of the Kings Bench and Marshalse, which summes ratably to be assessed vpon euerie Parish, the Churchwardens of euerie Parish shall truly collect and pay over to the High Constables, in whose diuision such Parish shall bee scitnat from time to time quarterly tenne dayes befoze the end of euerie quarter: And euerie such Constable at euerie such quarter Sessions in such Countie, shall pay over the same to two such Treasurers, or to one of them, as shall by the moze part of the Iustices of Peace of the Countie, bee elected to bee the sayd Treasurers, to be chosen by the Iustices of Peace of the said Countie, Citie, or Towne, or place Corporate, or of others which were lesse and taxed at five pounds lands, or tenne pounds goods, at the least, at the tare of Subsidie next befoze the time of the said election to bee made. And the sayd Treasurers so elected, shall continue but for the space of one whole yeare in their office, and then giue bp their charge, with a due accompt of their receipts, and disbursements, at the Quarter Sessions to bee holden next after the Feast of Easter in euerie yeare, to such others as shall from yeare to yeare in soyme aforesaid, successively be elected Treasurers for the sayd Countie, Citie, Towne, &c. which said Treasurers, or one of them, shall pay over the same to the Lord chiefe Iustice of England, and Knight Marshall for the time being, equally to be diuided for the vse aforesaid, taking their acquitances for the same, or in default of the said chiefe Iustice, to the next auncient Iustice of the Kings Bench, as aforesaid. And if any Churchwarden, or High Constable, or his Executors or Administrators, shal faile to make payment in soyme afoze specified, then euerie Churchwarden, his Executors or Administrators, so offending, shall forfeit for euerie time the summe of tenne shillings, and euerie high Constable, his Executors or Administrators, shal forfeit for euerie time the summe of twenty shillings, the same forfeitures together with the summes behind, to be leuied by the said Treasurer, and Treasurers, by way of Distresse, and sale of the goods, as is aforesaid, in soyme aforesaid and by them to be imployed, towards the charitable vses compzised in this Act. 43. El. 2.

Treasurer.

Chiefe Iust.
of England,
Knight Mar-
shall.

Churchward.
or high Con-
stable failing
of payment.

Howe the sur-
plusage shal be
bestowed.

Refusing to
be Treasurer
or to giue the
reliefe appoin-
ted.

The Island of
Fowlenesse.

15 All the surplusage of money which shall bee remaining in the said stocke of any Countie, shall by the discretion of the moze part of the Iustices of Peace in their Quarter Sessions bee ordered, distributed, and bestowed, for the reliefe of the poore Hospitals of that Countie, and of those that shall sustaine losses by fire, water, the Sea, or other casualties, and to such other charitable purposes for the reliefe of the poore, as to the moze part of the said Iustices of Peace shal seme conuenient. 43. El. 2.

16 If any Treasurer elected shall wilfully refuse to take vpon him the said Office of Treasurership, or refuse to distribute & giue reliefe, or to account, according to such forme as shall be appointed by the moze part of the said Iustices of Peace, When it shall be lawfull for the Iustices of Peace in the Quarter Sessions, or in their default for the Iustices of Assise, at the Assises to be holden in the same countie, to fine the same Treasurer by their discretion: the same fine to be leuied by sale of his goods, and to be prosecuted by any two of the said Iustices of Peace whom they shall authorize. 43. El. 2.

17 Whereas the Island of Fowlenes in the County of Essex being inuironed with the sea, and hauing a Chappell of ease for the inhabitants thereof, and yet the said Island is no Parish, but the lands in the same are scitnat in diuers Parishes farre distant from the said Island: The Iustices of Peace of the said County shall nominate & appoint Inhabitants within the sayd Island, to be Quertlers for the poore

poore people dwelling within the said Island: And both they the said Justices, and the said Overseers shall have the same authoritie to all intents, for the execution of the parts and Articles of this Act, and shall be subject to the same forfeitures, and likewise the inhabitants & occupiers of lands there shall be liable & chargeable to the same payments, charges, expences, & orders, in such manner and soyme as if the said Island were a parish: In consideration whereof neither the said inhabitants or occupiers of land within the said Island, shall not be compelled to contribute towards the reliefs of the poore of those parishes, wherein their houses or lands which they occupie within the said Island are situated, for, or by reason of their said habitations or occupiers, other than for the relief of the poore people within the said Island: neither yet shall the other inhabitants of the parishes wherein such houses or lands are situated, be compelled by reason of their residence or dwelling, to contribute to the reliefs of the poore inhabitants within the said Island. 43. El. 2.

18 If any action of trespass, or other suit shall happen to be attempted & brought against any person or persons for taking of any distress, making of any sale, or any other thing doing, by authority of this Act: The defendant or defendants in any such action or suit shall and may either plead not guilty, or otherwise make Answer, recognisance, or Justification, for the taking of the said distresses, making of sale, or other thing doing by vertue of this Act, alledging in such Answer, Cognisance, or Justification, That the said distresse, sale, or other thing whereof the plaintife or plaintifes complained, was done by authority of this Act, and according to the tenor, purport, and effect of this Act, without any expelling, or rehearsal of any other matter of circumstance contained in this present Act: To which Answer, Cognisance, or Justification, the plaintife shall be admitted to replie, That the defendant did take the said distress, made the said sale, or did any other act, or trespass, supposed in his declaration of his own wrong, without any such cause alledged by the defendant: whereupon the issue in every such action shall be joined, to be tried by verdict of twelve men, and not otherwise, as is accustomed in other personall Actions: And upon the triall of that issue, the whole matter to be given on both parts in evidence, according to the verie truth of the same. And after such issue tried for the defendant or nonsuit of the plaintife after apparance, the same defendant to recover treble damages by reason of his wrongfull operation in that behalfe, with his costs also in the part sustained, and that to be assessed by the same Jurie, by writ to inquire of damages as the same shall require. 43. Eliz. 2. 1. Jac. 25. To continue untill the end of the first Session of the next Parliament.

The def. pleads in a suit commenced against him.

1 Any man may give land holden in Socage, for the maintenance of houses of Correction, or for any stockes of poore. S. Mortmaine 10.

Prerogative, Prebeminence.

The King by his Prerogative Royall, shall have the Wardship of all their lands which hold of him in chiefe by Knights service, whereof the tenants were seised in their demesne, as of fee, the day of their death, of whomsoever they hold of like service, so that they held of ancient time any land of the King as of his crowne, untill the heire come unto his lawfull age, except the Fees of the Archbishop of Canterbury, the Bishop of Durham, betweene Tyne and Tees, Fees of Carles, and Barons of the Marches, of lands in the Marches where the Kings writs doe not lie, and whereof the said Archbishop, Bishop, Carles, and Barons, have had the wardship, though otherwise they held of the King. Prerogativa Regis 17. Ed. 2. 1. S. Wards 17.

2 Also hee shall have the marriage of an heire being within age, and in his custody, whether the land of such heire have of ancient time bene holden of the Crowne,

Prerogative, Prebeminence.

Crowne, or that in came by reason of Cicheat, being in the Kings hands, or that he hath the marriage by reason of the Ward of the Lord of such heire, without respect of the priority of seoffment, although the heire held of others. 17.E.2.2. See Wards 19.

Primer seisin 3 Also he shall haue Primer seisin after the death of those which hold of him in chiefe, of all the lands and tenements, whereof they were seised in their demesnes as of fee, of what age soeuer their heirs be, by taking the issues of the same lands, untill inquisition be made as the custome is, and that he hath received the homage of such heires. 17.E.2.3. Marlb. 52.H.3.16.

The Kings widowes. 4 Also he shall assigne to widowes, after the death of their husbands that held of him in chiefe, the dower that to them belongeth, though the heire be of full age, if the widowes will. And such widowes befoze assignment of Dower, shall sweare, that they shall not marry without the Kings licence, whether their heire be of full age or not, and if they doe marrie themselves without the Kings licence, then the King shall take into his hands by way of distresse, all such lands as they hold of him in dower, untill he be satisfied at his pleasure, so that the woman shall take nothing of the issues: For after such distresse, they or their husbands must make fine to the King at his pleasure, which fine in auncient time, was one yeres value of her dower, vnlesse she found the greater sauor. And also women that hold of the King in chiefe, of what age soeuer they be shall sweare that they shall not marrie themselves without the Kings licence, and if they do, their lands shall be taken in like maner into the Kings hand, untill he be satisfied at his pleasure. Mag. Char. 9.H.3.7. 17.E.2.4. And the Master of the Kings Wardes & Lineries, by the aduise of the Attorney, Receiuer general, & Auditoz of the same court, or thre of them, haue authorizty to suruey all the Kings widowes, and to commune & conlude with euerie of them, which shall marrie themselves without the Kings licence, for their reasonable fines to be made to the King, and to take and asseste the same by their discretion, according to the foresaid statute of Prerog. Reg. 32.H.8.46.

Women tenants. 5 If a woman befoze the death of her auncestoz that holdeth of the King in chiefe, be married befoze she be marriageable, then the King shall haue the wardship of the bodie of the same woman, untill she be of age able to consent, & then she may chose whether she will haue him to whom she was first married, or him that the King will offer her. 17.E.2.6.

Coparceners. 6 If an inheritance which is holden of the King in chiefe, do descend to seuerall coparceners, then all the heires shall do homage to the King, and the same inheritance so holden of the King shall be diuided amongst those heirs, in such sort, that euery of them after that shall hold their part of the King. 17.E.2.5. Stat. Hibernia.

Alienation without licence 7 None which holdeth of the King in Capite by Knights seruice, may without the Kings licence, alien the greater part of his land in such sort, but that the residue may be sufficient to do his seruice: But this had not wout to be intended of smal members and parcels of the same lands. Magna Chart. 9.H.3.32. 17.E.2.7.

Tenure by Sergeantie. 8 If any which holdeth his lands of the King by sergeanty, doth alien the same without the Kings licence, he shall pay therfore a reasonable fine. 17.E.2.7. But by the Stat. 1.E.3.12. the same lands shall not be for. to the King by such alienation. And by the Stat. 9.H.3.31. and 1.E.3.13. & 1.E.6.4. Hee that holdeth of the King, as of any honoz, castles, manors, lands, &c. being in his hands, by reason of any newescheat to the crowne, or by attainder, conuiction, outlawrie, or by dissolution of any religious house, or by purchase, doth not hold of him in Capite, neither shall he do other seruices, then if the same manors &c. were in other mens hands.

Lapse. 9 If other men do present to Churches being void, the aduowsons whereof belong to the King, whereupon debate riseth betweene the King and the others: If the King by award of the Court, do recouer his presentation, though it be after the lapse

lapse of 6. moneths from the time of the avoidance, no time shall preiudice him, so that he present within the space of 6. moneths. 17. Ed. 2. 8.

10 The King shall have the custodie of the lands of naturall soles, and take the profit thereof, without any waite or destruction. And shall find to them things necessary, of whose fees soever the same lands be, and after the death of the same soles, he shall render the same lands to the right heirs, so that such soles shall not alien, nor their heirs be disinherited. 17. E. 2. 9. The Master of the Kings Wardes & Liveries, by the advice of the Attorney, Receiver general, & Auditors of the same court, or three of them, hath authoritie to suruey, governe, & order all Ideots and naturall soles, and their manors, lands, tenements, and other hereditaments, being in the Kings hands, or in the hands of any other person or persons, to their uses, or the use of any of them, and to let & set the manors, lands, &c. to the Kings use for the time of his interest, for such rent and fine, as by their discretion shall be thought good, the finding and keeping of the said persons, their wives and children, and the reparations of their houses and lands alwaies to be considered. 32. H. 8. 46.

11 Also the King shall provide, that when any that before time hath had his memory and understanding, shall become distraught, and to faile of his wit (as certain doe Per lucida intervalla) that their lands and tenements shall be safely kept, without waite or destruction, and that they and their familie shall live, and be conveniently maintained, with the profits thereof, & that the residue besides their maintenance, shall be kept to their use, & be delivered unto them when they come to their perfect memory, so that such lands and tenements shall not be alienated within the same time, neither shall the king take any thing to his owne use: And if the parties die in such estate, then the residue shall be distributed for his soule by the advice of the Ordinarie. 17. Ed. 2. 10.

12 The King shall have the wrecke of Sea through the Realme: Whales and Surgeons taken in the sea, or elsewhere within the realme, except in certain privileged places. 17. E. 2. 11. Wrecke of the Sea.

13 When any person which holdeth of the King in Capite dieth, and his heir both enter into the land that his ancestor held of the King the day of his death before he hath done homage to his Grace, & received of him seisin, hee shall thereby gaine no freehold, & if he die seised during that time, his wife shall not be endowed of the same land. But this is not meant of Socage and small Tenures. 17. E. 2. 13. And if any shall make a Purpresture or Usurpation upon the Kings land, the King shall relesse the land out of the hands of the intruder. Big. 4. Ed. 1. 4. Intrusion.

14 The King shall have Escheats of the lands of Archbishops, & Bishops freeholders, when such Tenants be attainted of Felonie, committed in time of vacation, whiles their Temporalities were in the Kings hands, to bestow in what sort it shall please him: Saving to such Prelates the service that to them is due and accustomed. 17. Ed. 2. 14. Escheats in time of vacation.

15 When the King giveth or granteth to any person a manor, or land, with the appurtenances, without hee make expresse mention in his Deed, or Writing, of knights fees, Advowsons of Churches, and Dowers, when they fall, belonging to such manors, or lands, then the King reserveth to himselfe such fees, advowsons, and dowers, though amongst other persons there be no such reservation. 17. Ed. 2. 15. Knights fees, Advowsons, Dowers.

16 The King shall have the goods of all Felons which be condemned, & which be fugitive, wheresoever they be found, and if they have any freehold, it shall forthwith be seized into the Kings hands, and the King shall have the profits thereof by the space of a yeare and a day, and the land shall be wasted and destroyed in the houses, woods, & gardens, and in all things belonging to the same (except men of certain places privileged.) And after the King hath had the yeare, day, and waite, the

Annum, diem & vastum.

Prerogative, Prebeminence. Preacher, &c.

Annum, diem,
& vastum.

Gloucester.

Ganelkind.

None may
pardon felons
or make Ju-
stices but the
King.

All writs
made in the
Kings name.

Writs or
Indictments
contra pacem.

Fines & for-
feitures of
Bailiffs and
Stewards.

Disturbance
of a Preacher
in the time of
his Sermon.

the land shall be restozed to the chiefe Lord of the same fee, unless that before he re-
deeme the same yeare, day, and wast of the King, by payment of a fine. But there is
a custome in the Countie of Gloucester, that after a yeare and a day the lands and
tenements of Felons in that Shire, shall reuert and be restozed to the next heire,
to whom they ought to haue descended, if the Felonie hath not bin committed. And
in Kent, in Ganelkind, (the father to the Bough, the sonne to the Plough) there
all the heires males shall diuide their inheritance, and likewise women: But wo-
men shall not make partition with men. And a woman after the death of her hus-
band shall be indowd of the moiety. And if a woman commit Fornication in her
widowhood, or take any husband, she shall lose her dower. Prerog. Regis, Anno 17.
Ed. 2. 16. Magna Charta 9. H. 3. 22.

17 No person or persons shall haue authoritie to pardon any treasons, murders,
manslaughters, or felonies, or any accessaries to the same, or any outlawries for a-
ny such offences committed &c. or to make any Iustices of Oire, Iustices of Assise,
Iustices of Peace, or Iustices of Gaole Deliuery, but only the K. Paierly, his
heirs and successors, Kings and Queens of this realm, which haue the same whole
and sole power vnto the imperiall Crown of this realm. And all such Iustices,
Officers, &c. shall be made by letters patents vnder the K. great seale in his name,
and by the authoritie of him and his heirs &c. in all Counties within any of his do-
minions. 27. H. 8. 25.

18 All originall and iudiciall writs, & all indictments of Treason, Felonie, and
Trespas, and all manner of proces to be made vpon the same in euery County Pa-
lantine, & other liberties within England, Wales, or the Marches thereof shall be
made only in the name of the King, and his heires, Kings or Queens of England.
And euery person hauing such County Palantine, or other libertie to make such
originals, iudiciall, or other proces of Justice, shall make the Teste in the said
Writs, in the name of the same person or persons that haue such Countie Palan-
tine, or Liberties. 27. H. 8. 25.

19 Euery Writ and Indictment that shall be made within any County Pa-
lantine, or Libertie, whereby it shall be supposed any thing to be done against
the Kings peace, shall be made and supposed to be done against the Kings peace,
his heires and successors, and not against the peace of any other person &c. 27. H. 8.
25.

20 The King his heires and successors, Kings or Queens of this Realme, shall
haue all fines, issues, amerciaments, and forfeitures that shall be lost, forfeited, or
assessed, by or vpon any Stewards, bailiffs, or other Officers, of any Franchises or
liberties, for non execution, or misexecution, or insufficient returnes in such writs,
warrants, precepts, or other proces, which to any of them, or to any their deputies
shall be directed, or for any contempt, or other misdemeanor concerning their offi-
ces, in & for the due execution or administration of Just. any graunt, allowance, or
other thing &c. notwithstanding. 27. H. 8. 25.

1 For the Kings prerogatives and prebeminences, See Accomptants to the King
1. &c. Abilitie 1. Damages 9. Fines 20. Recoveries 2.

Preacher, and Preaching.

If any person of his owne authoritie, shall willingly, & of purpose by open words
or deeds, maliciously, or contemptuously disturbe, or by any other unlawfull
waies disquiet or misuse any preacher allowed to preach by the Quene, or by any
Archbishop, or Bishop of this Realme, or by any other lawfull Ordinary, or by any
of the Vniuersities of Oxford and Cambridge, or otherwise lawfully authorized
or charged by reason of his Cure, Benefice, or other Spiritual promotion or
charge,

charge, in his open Sermon, Preaching, or Collation, that he shall preach or pronounce in any Church, Chappell, or Church-yard, or in any other place bled or appointed: then every such offendour, his aiders, procurers, abettors, immediately after any of the said misdemeanors committed, or at any time after, shall be arrested by any Constable, or Church-warden of the said Parish, Towne, or Place, where the said offence shall be committed, or by any other Officer, or by any other person then being present at the time of the said offence, and carried to any Justice of Peace within the said Shire, or within any Citie, Borough, Libertie, or Towne, corporate, wherein Justices of Peace be, where the said offence shall be so committed, and the said Justices upon due accusations thereupon made by the apprehender or other person, of the offendour, forthwith shall commit him to safe keeping, & within five dayes immediately after the said accusation so made, the said Justice with one other Justice of Peace within the Shire, Citie, Borough, Libertie, or Towne Corporate, shall diligently examine the offence aforesaid. And if the said two Justices shall upon their examination find the person so accused guiltie of any of the said offences, whereof he shall be accused, and that by two sufficient witnesses, or by his confession, then they shall commit him to the Gaole of the said Shire, Citie, Borough, &c. where the offence was committed, there to remaine without baile or mainprize, by the space of three moneths then next ensuing, and farther to the next Quarter Sessions &c. at which Sessions, the said person, upon his reconciliation and repentance before the said Justices at the said Sessions, shall be delivered out of prison upon sufficient suretie of his good abearing and behaviour, to bee then and there taken by the said Justices for one whole yeare then next ensuing, as by the discretion of the said Justices then and there being, or of the more part of them shall be thought convenient. And if the said person will not be reconciled and repent at the said Quarter Sessions, then he shall be further committed to the said Gaole by the said Justices, there to remaine without baile or mainprize, untill he shall be reconciled, and be penitent, &c. 1. M. 3.

2 If any person or persons of their owne authoritie, willingly and unlatufully do rescue any offendour so apprehended, or will disturbe the said offendour to be apprehended, then everie one of the said rescuers or disturbers shall suffer like imprisonment, as is aforesaid, and further shall pay for every of his offences b. l. to the Queene. 1. M. 3.

Rescuing the offendour, or disturbing the arrest.

3 If any of the offendours aforesaid be not apprehended in time convenient, but doe escape, then the said escape shall be lawfully presented before the Justices of P. at the next Quarter Sessions &c. and the inhabitants of the Parish where the said escape was suffered, shall for. to the Qu. &c. for every such offence b. l. to be levied and taken as other like amerçiements and fines bin levied upon any village, hundred, or town, for the escape of any murtherer, or other felon, for not making pursuit upon huy and crie, according to the Statute of Winchester, and the Statute of 3. H. 7. 1. 1. M. 3.

The punishment of the towne, where the offendour doth escape.

4 This Act shall not extend to take away the authoritie and punishment to the Ecclesiasticall Lawes standing in force for the punishment of any of the offences aforesaid. But they shall be used in everie thing, as though this Act had never bin made. 1. M. 3.

Punishment by the Ecclesiasticall lawes.

5 Whatsoever person offending in the premises, shall for any the offences aforesaid, receive punishment of the ordinarie, having testimonial thereof under the the said Ordinaries seale, shall not for the same offence afterwards be committed before the Justices: Et c. conuerso, 1. M. 1. Parl. 3. S. Arrests 1. Just. of Peace 11.

But once punished for one offence.

Præmunire, Prouision.

Præmunire, Prouision.

Præmunire
by reason of
suit in a for-
eigne realme,
or in impea-
ching Judge-
ments.

If any of the Kings people doe draw any man out of the Realme in suit for any cause, the cognisance whereof pertaineth to the Kings Court, or for any things whereof there is Judgement given in the Kings Court: Or doe sue in anie other court to defeat or impeach the Judgement given in the Kings Court, they shall haue day containing the space of two moneths by warning to be given to them, in the place where the possessions be, which be in debate, or some where else, where they haue lands or other possessions, by the Sherife or other of the Kings Officers, to appeare before the King and his Councell, or in his Chancery, or before his Justices of the one Bench, or the other, or before other of the Kings Justices, which shall be thereunto appointed, to answer in their proper persons to the King of their contempt in this case committed, and if they come not at the said day in their own proper persons to answer and stand to the Law, they, their Procurators, Attornies, Executors, Potaries, and Maintainers, shall from the same day be put out of the Kings protection, and their lands, goods, and cattels shall be forfeited to the King, and their bodies, wherefoener they be found, shall be punished at the Kings pleasure. And a writt shall be awarded to apprehend their bodies, and to seise their lands, goods, and possessions into the Kings hands. And if it be returned, that they cannot be found, they shall be put in Exigent and outlawed. But at whatsoeuer time they wil come before they be outlawed, and will render themselves to the Kings prison, to be iustified by the law, and to receiue that which the Kings Court in this behalfe shall award, they shall be thereunto receiued, yet shall the forfeiture of the lands, goods, and cattels remaine in his force, if they doe not yeeld themselves within the two months, as is aforesaid. 27. Ed. 3. 1.

Taking Be-
nefices of Ali-
ens.

Conveying of
commodities
to Aliens.

2 None of the Kings liege people, nor other person, shall take within England, Procuracie, Letter of Attorney, Ferme, or other Administration, by Indenture, or in other manner, of anie person of the world, of anie Benefice within the said Realme, but onely of the Kings liege people of the same Realme, without the speciall grace and expresse licence of the King, by the aduise of his Councell. Nor any of the said liege people, or other, that may be found in the said Realme, shall convey by vertue of such procuracie, ferme or administration, gold, silver, or other treasure or commoditie out of the said Realme, by letter of exchange, by merchandize, or in any other maner whatsoever, to the profit of the said aliens, without the like licence: & if any do the contrarie in any point, he shall incur the punishment contained in the aforesaid statute of 27. Ed. 3. and by the same processe comprised in the said statute, shall be warned in their benefices, or their other possessions within the Realme. And if they be out of the Realme, and haue no benefices, nor possessions within the Realme where they may be warned, a writt shall be directed out of the Chancery to the Sherifs of London, or to the Sherife of the County where they were borne, at the Kings suit, returnable into the one Bench, or the other, by the which writt commandement shall be given, that Proclamation shall be openly made, that they shall be before the Justices in the Bench, where the writt is returnable at a certaine day comprised in the said writt containing the space of halfe a yere, to make answer to the matters comprised in the said writt, and this writt being returned, the Justices shall proceed against them in forma aforesaid. 3. R. 2. 3. 7. R. 2. 12.

Sequestra-
tion of Aliens
Benefices.

3 No Bishop, or other Ecclesiasticall person through the Realme, shall meddle by the way of Sequestration, or in any other maner, with the fruits of such benefices, given to such aliens, or to the profit of aliens, 3. R. 2. 3. 7. R. 2. 12.

4 If any Alien doth purchase any Benefice of the Church, Dignitie, or other thing,

thing, and in his owne proper person doth take possession thereof, or both occupie it within the realme, whether it be to his owne vse, or to the vse of any other, without the R. speciall licence, he shalbe comprised within the said stat. of 3. R. 2. And mozeouer, he shall in all points incur the paines & fozf. comprised in the stat. 25. Ed. 3. 22. (prouided against these which purchase in the Court of Rome prouisions, to haue abbeyes and prouies in England) viz. he shalbe out of the kings protection, & euery man may vse him as an enemye of the king & the realme. And whosoever offendeth against him in bodie, goods, or possessions, shall bee excused against all people, and shal neuer be impeached or grieved for the same, at any mans suit. 7. R. 2. 12. Sed S. 6. & Quare.

5 If any persons do purchase, or pursue, or cause to bee purchased or pursued in the Court of Rome, or elsewhere, any translations of Bishops, Procces, sentence of Excommunication, bulls, instruments, or other things whatsoever, which do touch the R. or which be against him, his crowne & regaltie, or his realm, they which bring the same within the realme, or do receiue them, or make therof notification, or other execution whatsoever, within the realme, or without, their Potaries, Procuratores, Painteinores, Abbettores, Fanozers, & Counsellors, shalbe put out of the R. protection, and their lands & tenements, goods & cattels shalbe forfeited to the R. And they shalbe attached by their bodie (if they may be found) & brought before the R. & his Councell, to answer in his foresaid causes, or else procces shal be directed against them by *Premunire facias* 16. R. 2. 5. But to obtain from the Bishop or See of Rome any manner of Bull, Writing, or Instrument, written or printed, containing any thing, matter, or cause whatsoever, or to publish, or by any meanes to put in vze any such Bull, Writing, or Instrument, it shalbe adiudged to the offenders, their procuratores, abettores, and counsellors to the fact and committing of such offence, high Treason. 13. El. 2. S. Rome 2.

By which Statute of 13. Elizabeth. and of certaine statutes made 23. Henf 8. 24. Henf 8. 25. Henf 8. 1. Eliz. 5. Eliz. the force of diuers other old statutes, prouided for the punishment of offences by prouision or *premunire* seeme to be taken away, saving such which be in other Titles of this Booke expressed, for that the offences which in the said old statutes were ordained to be punished in seuerall manners by Prouision and *Premunire*, be now made high Treason, or other punishment appointed for them by the said new statutes, or else the vse of them is wholly extinguished by dissolution of Monasteries, Abbeyes, Colledges, Free Chappels, &c. which were suppressed by the statute of 27. Henrici 8. 31. Henr. 8. 13. Edward. 6. 14. *Tamen*

Quare. 6 It shall not be lawfull to any person, to say any person in any manner attainted in or vpon any *Premunire*, by pretence, reason, or authority of any iudgement given vpon the same, or of any words or things contained in any statute or law of Prouision and *Premunire*: saving alwaies the due execution of euery person attainted for any offence whereupon iudgement of death ought to be, and saving euery such pain of death, or other hurt, or punishment, as heretofore might without danger of law be done vpon any person that shall send or bring into any of the R. dominions, or within the same shall execute any summons, sentence, excommunication, or other procces against any person from the Bishop or See of Rome, or the authority of the same. 5. El. 1.

1. *Premunire* for refusing to take the oath for the Qu. supreme gouernment ouer all states. S. Crowne &c. 6.

2. *Premunire* for maintaining or setting forth the authority of the Bishop, or See of Rome. S. Rome 1.

3. *Premunire* by aiding, comforting, or maintaining any offender after the offence, to the intent to set forth or allow the power of the Bishop or See of Rome. S.

Ooo

Rome

No alien shal take a Benefice without the R. licence.

Quare.

Bulls or Instruments from Rome.

Treason.

Quare.

No man shall see him which is attainted in *Premunire*.

Prison, Prisoners, Gaole, Gaolers.

Rome 3.

4 Præmunire by bringing, deliuering, or receiuing and vsing any Agnus Dei, crosses, pictures, beads, or such like from Rome. S. Rome 5.

5 Præmunire for not electing, nor certifying, or not admitting any Bishop elected. S. Bishop 4.

6 Præmunire in a Iustice of P. for not certifying the name of him which bringeth any Agnus Dei, crosses, or pictures. S. I. of P. 103.

7 Prouision in spirituall persons &c. within the Archdeaconrie of Richmond in Yorkshire, for taking more probate of Testaments than is lawfull. S. Probate of Testaments 14.

8 Præmunire for suing of Appeales, or for refusing to obey all things comprised in the statute provided for suing of them. S. Appeales 7.

9 Brokers and driuers of Bargaines, contrarie to the statute of 37. H. 8. provided against Vsurie, shalbe punished as Counsellors, Attornies, or aduocates in case of Præmunire. S. Vsurie 7.

10 Præmunire for molesting any person for any lands or possessions of any Abbey, Priorie, Colledge, Channtrie, &c. S. Monasteries 32.

11 Præmunire for deliuering or sending any reliefe to a Iesuit, Priest, or other remaining in any Colledge of Iesuits. S. Iesuits 5.

Prison, Prisoners, Gaole, Gaolers.

NOne shall be imprisoned by any Iustice of Peace, but onely in the common gaole: saving to Lords and others which haue gaoles their franchise in this case. 5. H. 4. 10. Every Sherife within every county in this realme of England shall haue the custodie, rule, keeping & charge of euery of the R. common Gaoles, prisons, and prisoners in the same, in euery of the said counties where he is Sherife, during the time of his office: except all gaoles, whereof any person or persons spirituall or tempozall, or body corpozat haue the keeping of estate of inheritance, or by succession 19. H. 7. 10. 14. Ed. 3. 10.

A prisoner by dures becomeeth an apponier.

2 Sherifes shall haue the keeping of Gaoles, and put in such keepers for whom they will answere. And if any keeper of prison, or vnder keeper shall by too great duresse of imprisonment and paine, cause any prisoner which he hath in his custodie to become an apponier against his will, & is thereof attainted, he shalbe adiudged a felon. 14. E. 3. 10.

The Sherife shall certifie all his prisoners names.

3 Every Sherife, Bailife of Franchise, and euerie other person hauing authoritie of keeping of Gaoles, or of Prisoners for felonie shall certifie the names of euerie prisoner in their keepfng, and of euery prisoner to them committed for any such case, at the next generall Gaole Deliuerie, in euerie Countie or Franchise where any such Gaole is, or shalbe, there to be kalendred before the Iustices of the deliuerie of the same Gaole, whereby they may as well for the King, as for the partie, proceed to make deliuerie of such Prisoners, according to the Lawes, vpon paine to forfeit to the King for euery default there recozded an C. shillings. 3. H. 7. 3.

A prouision for the reliefe of Prisoners.

4 It shall and may be lawfull for the Iustices of Peace of euerie Shire within this Realme, at their generall Quarter Sessions of the Peace to be holden within the same Shires, or the most part of the said Iustices being there present, to rate and tax euerie Parish within the said Shires, at such reasonable summes of money, for and towards the reliefe of the Prisoners being within the common Gaoles of the said Shires, as they shall thinke conuenient by their discretions: so that the said Taxation and Rate doth not exceede aboute vi. s. or viij. s. by the weeke out of euery Parish. And the Churchwardens of euerie Parish within this Realme

Realme for the time being, shall enerie Sunday leuie the same: And once enerie Quarter of the yeare, pay to the High Constables, or Head Officers of enerie Towne, Parish, Hundzed, Riding, or wapentake, within this Realme, all such summes of money as their parish shall bee taxed, for and towards the reliefe of the said Prisoners within their said seuerall parishes. And the said High Constables, and Head Officers, and enerie of them, shall pay all such summes of money so to them payed by the sayd Churchwardens, at enery Generall Quarter Sessions to be holden within the said seuerall Shires, to such sufficient persons dwelling nigh the said Gaoles, as shall be appointed by the said Iustices in their said open Quarter Sessions, to be there ready to receiue the said money so collected, as is aforesaid. And the Collectors for the said prisoners shall weekly distribute and pay all such summes of money, as they and enery of them shall receiue for the reliefe of the said prisoners, as aforesaid, vpon paine as well the said Churchwardens of enerie parish, Constables, and Head Officers of enery Hundzed, or wapentake, as also the said Collectors appointed for the collection and contribution of the said prisoners, so making default, as aforesaid, to forfeit v. l. The one moitie to the Sherheires and successors, and the other moitie to the reliefe of the prisoners: Any statute, law, custome, or other thing to the contrarie notwithstanding. 14. El. 5. 1. Jac. 2. 5. To continue to the end of the first Session of the next parliament.

5 He that breaketh prison shall not haue punishment of life or member for the breaking of the prison only, except the matter or cause for the which he was imprisoned & taken did require such iudgement, if he had been consulted therupon after the law and custome of the realme, albeit in times past it hath bin done & used otherwise. An. 1. Ed. 2.

*Breaking
prison.*

6 Sherifes and Gaolers shall receiue and safely keepe in prison, Felons, persons appealed, indicted, or taken with the manner, and apprehended and taken by the Constables and Towneships, by the deliuerie of the same Constables and Towneships, without taking any thing for their Witt. And the Iustices assigned to deliuer the Gaole, shall haue authoritie to heare their complaints, that will complaine vpon Sherifs and Gaolers in such case, and to punish them, if they be found guilty. 4. Ed. 3. 10.

*Gaolers shall
receiue felons.*

7 All and every person and persons whatsoever that shall be committed to the common or visall Gaole within any County or libertie within this Realme, by any Iustice, or Iustices of peace, for any offence, or misdemeano, the said person or persons so to be committed, as aforesaid, hauing meanes or abilitie thereunto, shall beare their owne reasonable charges for so conueying or sending them to the said Gaole, and the charges also of such as shall be appointed to guard them to such Gaole, and shall so guard them thither. And if any such person or persons so to be committed, as aforesaid, shall refuse at the time of their commitment and sending to the said Gaole, to defray the said charges, or shall not then pay or beare the same, Then such Iustice or Iustices of the peace, shall and may by writing vnder his or their hand and seale, or hands and seales, giue warrant to the Constable, or Constables of the Hundzed, or Constable, or Withingman of the Withing or Towneship, where such person or persons shall bee dwelling and inhabite, or from whence hee or they shall be committed as aforesaid, or where he or they shall haue any goods within the Countie or libertie, to sell such and so much of the goods and cattels of the said persons so to be committed, as by the discretion of the said Iustice, or Iustices of the peace, shall satisfie and pay the said charges of such his or their conueying and sending to the said Gaole, the Appraisment to be made by foure of the honest Inhabitants of the Parish, or Tything, where such goods and chattels, shall remaine and be: And the ouerplus of the money which

*A Prisoner
conueyed to
the Gaoler at
his owne
charges.*

Prison, Prisoners, Gaole, Gaolers.

Shall be made thereof, to be deliuered to the party to whom the said goods shall belong 3. Iac. 10.

The offendors
being not able,
the parish shall
be charged.

8 If the said person or persons so to be committed as aforesaid, shall not haue, or be knowne to haue any goods or chattels, which may bee so sold for the purpose aforesaid, within the Countie or libertie, then an indifferent tax or assessment shall be made by the Constables and Churchwardens, and two or three other the honest Inhabitants of the Parish, Towneship, or Tything, where the said offendors shall be taken or apprehended, the said Taxation being allowed vnder the hand of one or more Justice, or Justices of the Peace, if there bee such Constables and Churchwardens there inhabiting, and in default of them, by foure of the principall Inhabitants of the said Parish, Towneship, or Tything, where such offendors shall be taken or apprehended. And if any so taxed, or assessed, shall refuse to pay their said Taxation, then the Justice or Justices of Peace, by whom the said Offendours shall be committed to prison, as aforesaid, or any other Justice of Peace here adioining, shall and may give warrant as aforesaid, to the Constable, Tythingman, or other Officer, there to distraine the goods of any so assessed which shall refuse to pay the same, and to sell the same. And such person or persons so authorized, shall haue full power and authoritie so to distraine, and by appoysement of foure substantiall Inhabitants of the said place, to sell a sufficient quantitie of the goods and chattels of the said persons so refusing, for the leuying of the said Taxation. And if any ouerplus of money come by the sale thereof, the same to be deliuered to the person or persons, owner or owners thereof. 3. Iac. 10.

The defendants plea in
Trespas, or
Auoizie.

9 If any Action of Trespasse, or other suite shall happen to bee attempted, and brought against the person or persons for taking of any distresse, making of any sale, or any other Act, by authoritie of this present Act, The defendant, or defendants in any such Action, or Suit, shall and may either plead not guiltie, or otherwise make Auoizie, Cognisance, or Justification, for the taking of the said Distresses, making of Sale, or other Act, by vertue of this Act, alledging in such Auoizie, Cognisance, or Justification, that the said Distresse, Sale, Trespasse, or other thing, whereof the plaintife or plaintifes complained, was done by authoritie of this Act, and according to the tenor, purport, and effect of this Act, without any expressing, or rehearsall of any other matter or circumstance conteyned in this Act: To which Auoizie, Cognisance, or Justification, the plaintife shall be admitted to reple that the defendant did take the said distresse, made the said Sale, or did any other Act or Trespasse, supposed in his declaration of his owne wrong, without any such cause alledged by the said Defendant, whereupon the issue in euerie such Action shall be ioined to be tried by verdict of twelue men, and not otherwise, accustomed in other personall Actions: And vpon the triall of that issue, the whole matter to be giuen on both parties in euidence, according to the verie truth of the same. And after such issue tried for the defendant, or nonsuit of the plaintife after appearance, the said defendant to reconer treble damages, by reason of his wrongfull veration in that behalfe, with costs also on that part sustained, & that to be assessed by the same Iurie, or Iury to inquire of the damages as the same shall require. 3. Iac. 10. To continue vntill the end of the first Session of the next Parliament.

1 No Habeas Corpus shall bee graunted to remoue any Prisoner out of any Gaole, except it bee signed with a Iustices hand of the same Court. See Remouer 1:

2 The Iu. of the K. Bench may send downe prisoners and their Indictments, to be tried in the Countie. S. Remouer 2.

3 A prisoners goods shall not be seised, vntill he be attainted. S. Sherifes 24.

4 In

4 In wharease it is felonie for any person to breake prison. S. Felonie. 15.
Where the Keeper of a prison shall be charged for not receiuing, or letting go a prisoner offered or committed to his custodie. S. Escape 1. Statutes &c. 1. Phylitians 4.

6 Iust. of P. shall examine an offender, and put his examination in writing before he commit him to prison. S. Iust. of P. 108.

Probate of Testaments, and Administration.

Nothing shal be demanded, receined, nor taken by any Bishop, Ordinarie, Archdeacon, Chancelor, Commisarie, Official, nor any other person or persons whatsoeuer, hauing authoritie to take or receiue probacion, insinuation, or approbation of Testament or Testaments, by himselfe, or themselves, nor by his or their Registers, Scribes, Prayers, Summonors, Apparitors, or by any other of their Ministers, for the probacion &c. of any Testament, or for writing, sealing, praying, registering fines, making of Inuentories, and giuing of Acquittances, or for any other cause concerning the same, where the goods of the Testator of the said Testament, or person so dying, doe not amount cleereely ouer and aboue the value of one hundred Shillings Sterling, except onely to the Scribe, to haue for writing of the Probate of the Testament of him deceased &c. five pence, And for the Commission of Administration of the goods of any man deceased intestate, not being aboue the like value of C.s. cleere, five pence. And notwithstanding the said Bishop, Ordinarie, or other person, shall not refuse to approue any such Testament, being lawfully tendered to him to be approued, whereof the goods of the Testator, or person so dying amount not aboue the value of an C.s. so that the said Testament bee exhibited to him in writing, with waite thereunto affixed ready to be sealed, and that the same testament be lawfully proued before the same Ordinarie (before the sealing) to be the true, whole, and last Testament of the same Testator, in such forme as hath bin commonly accustomed in that behalfe. 21. H. 8. 5.

Probate of Testaments where the goods exceed not C.s.

Commission of Administration.

2 When the goods of the Testator do amount ouer and aboue the cleere value of C.s. and do not exceed the summe of xl. l. Sterling, then no Bishop, Ordinarie, nor other person or persons whatsoeuer be or they bee, hauing authoritie to take probacion &c. of any Testament by himselfe, or any his Ministers, for the probacion, insinuation, and approbation of any Testament, or Testaments, or for the registering, sealing, writing, praying, making of Inuentories, giuing of Acquittances, fines, or any other thing concerning the same, shall take, or cause to be taken of any person or persons, but only ij. s. vi. d. & not aboue, whereof to be to the said Ordinarie, for him & his ministers, ij. s. vi. d. and xij. d. residue to the Scribe for the registering of the same. 21. H. 8. 5.

Probate of Testaments where the goods exceed not xl. l.

3 Where the goods of the testator do amount aboue the cleere value of xl. l. Sterling, then the Ordinarie by himselfe, nor any of his ministers, for the probacion of any testament, or for the registering &c. or any thing concerning the same probat, shall take of any person but only v. s. & not aboue, whereof to be to the said Ordinarie for him and his ministers, ij. s. vi. d. and not aboue, & ij. s. vi. d. residue to be to the scribe for registering of the same: Where the scribe, to be at his libertie to refuse the ij. s. vi. d. & to haue for writing of euerie ten lines of the same testament (whereof euerie line to containe in length x. inches) a pennie. 21. H. 8. 5.

Probate where the goods exceed xl. l.

4 And euerie such Bishop, Ordinarie, or other person, hauing authoritie to take the Probacion of any Testament, their Registers, Scribes, and Ministers, shall approue, insinuate, seale, and Register the said Testaments, and deliuer the same, sealed with the seale of their office, to the executor or executors, named in such Testaments,

Testaments shalbe sealed and deliuered in time convenient.

Do o ij

Testaments,

Probate of Testaments, and Administration.

Testaments, for the same abovesaid, and in manner & forme abovesaid rehearsed, with convenient speed without any frustratorie delay. 21.H.8.5.

Administration.

5 If any person die intestate, or the Executors named in any such Testament, refuse to prove the said Testament, then the Ordinary, or other person or persons, having authority to take Probate of Testaments, shall grant the Administration of the goods of the Testator, or person deceased, to the widow of the same person, or to the next of his kin, or to both, as by the discretion of the same Ordinary shall be thought good, taking surety of him or them to whom shall be made such commission, for true administration of the goods, cattels, & debts, which he or they shall be so authorized to minister. 21.H.8.5.

Administration on where divers persons do request it.

6 And in case where divers persons claime the administration as next of kin, which be equal in degree of kindred to the Testator or person deceased, and where any person only desireth the Administration as next in kin, where indeed divers persons be in equality of kindred as is abovesaid: then the Ordinary shall be at his liberty to accept any one or more making request, where divers doe require the administration: or where but one or more of them, and not all being in equality of degree do make request, then the Ordinary shall admit the widow, and him or them only making request, or any one of them at his pleasure, taking nothing for the same, unless the goods of the person so deceased amount above the value or summe of an C.s. And in case the goods of the person so deceased amount above the value of an C.s. and not above xl.s. then he and his officers shall take only y.s. vi. s. & not above 21.H.8.5.

How much the Ordinary shall take for granting Administration.

Inventorie.

7 The Executor and Executors named by the Testator, or person so deceased, or such other person or persons, to whom such Administration shall be committed, where any person dyeth intestate, or by way of intestate, taking to him or them two such persons at the least, to whom the said person so dying was indebted, or made any Legacy, and upon their refusal or absence, two other honest persons being next of kinne to the person so dying, and in their default or absence, two other honest persons, and in their presence, and by their discretions shall make, or cause to be made, a true and perfect Inventorie of all their goods, cattels, wares, merchandises, as well moveable as not moveable whatsoever, that were of the said person so deceased, and the same shall cause to be indented, whereof the one part shall be by the said Executor or Executors, Administrators or Administratores, upon his or their Oath or Oathes, to be taken before the said Bishop, Ordinary, their Officials, or Commissioners, or other persons having power to take Probate of Testaments, upon the Holie Evangelists, to be good and true, and the same one part indented, shall present and deliver unto the keeping of the said Bishop, Ordinary, &c. and the other part thereof to remaine with the said Executor or Executors, Administrators or Administratores, &c. Which Inventorie so to him tendered, no Bishop, Ordinary, &c. shall refuse to take, upon the paines hereafter contained. 21.Henric. 8.5.

Devise of lands to be sold.

8 If any person deceased, will by his Testament or last Will, any lands, tenements, or hereditaments to be sold, the money thereof coming, nor the profits of the said lands for any time to be taken, shall not be accepted as any of the goods or cattels of the said person so deceased. 21.H.8.5.

The testator's seal defaced.

9 And the same Ordinary, &c. upon the delivery of the seale and signe of the Testator, shall cause the same seale to be defaced, and thereupon incontinent deliver the same seale unto the said Executor or Executors, without claim or challenge thereunto to be made. 21.H.8.5.

Copies of Testaments or Inventories.

10 And in case any person or persons at any time require a Copie or Copies of the said Testament so proved, or Inventorie so made, then the said Ordinary &c. or his ministers, shall from time to time with convenient speed without any frustratorie

toye delay, deliner oꝝ canie to be delinered; a true copie oꝝ copies of the same; unto the said person oꝝ persons demanding the same, taking foꝝ the search, and foꝝ the making of the copie of either of the said Testament oꝝ Inuentorie; but onely such fe, as befoze is rehearsed foꝝ the registering of the said testament; oꝝ else the Scribe oꝝ Register to be at his libertie, to demaund, haue, and take foꝝ euerie tennē times thereof being of the pꝛopoztion befoze rehearsed, j. s. 21. H. 8. 5.

11 But where any persons, hauing authoritie to take Probate of Testaments, haue bled to take lesse summes of money then is abovesaid; foꝝ the Probate of Testaments, oꝝ Commissions of administrations, oꝝ other cause concerning the same, they shall take such summe foꝝ the same, as they befoze the making of this act haue bled to take, and not aboue. 21. H. 8. 5.

Customs to take lesse money foꝝ Probates.

12 Euerie Bishop, Bishopy, Archdeacon, Channcelor, Commissarie, Official, and other person and persons hauing authoritie to take probate of Testaments, their Registers, Scribes, Paylers, Summoners, Apparitors, and all other their Ministers, whatsoeuer they be, that shall doe oꝝ attempt, oꝝ cause to be done oꝝ attempted, against this Act in any thing, shall foꝛfeit foꝝ euery time so offending, to the partie griened in that behalfe, so much money as he shall take contrarie to this Act: And ouer that shall foꝛfeit to the R. and the partie griened R. L. to be recovered, by A. J. B. &c. wherein no W. C. P. &c. And euerie of the same Bishops, and other persons which shall incurre the danger of such penaltie, shall be charged onely foꝝ himselfe, and none of them shall be chargeable to the penaltie foꝝ others offences. 21. H. 8. 5.

The foꝛt. foꝛ taking moꝛe then date.

13 But this Act is not pꝛeindiall to any Bishop, oꝝ other person, hauing authoritie to take Probate of Testaments, but euerie of them shall and may conuent befoze them euerie person made Executor of any Testament, to the intent to pꝛoue oꝝ refuse the same, and to bying in Inuentories, and to doe euerie other thing concerning the same, as they might doe befoze the making of this Act: so that alwaies any such Bishop &c. oꝝ other ministers aforesaid, shall not take foꝝ the same aboue the fees limited by this Act, ne in any wise attempt any thing contrary to any part of the same Act. 21. H. 8. 5.

Executors conuented to pꝛoue the will, oꝝ bying in Inuentories &c.

14 So Spirituall person oꝝ others, hauing any Benefice oꝝ other Spirituall pꝛomotion within the Archdeaconrie of Richmond in Pꝛokshire, shall aske, lenie, demaund, oꝝ take after the decease of any person oꝝ persons, any poztion oꝝ poztions; noꝝ any other demand oꝝ dueitie, in the name oꝝ lieu of the same, vpon paine to incurre such penalties as be contained in the Stat. of Pꝛouisoꝝ, made 25. E. 3. (viz. they shall be attached by their bodies and brought in to answer, and if they be conuict, they shall remaine in pꝛison without being let to baile oꝝ mainepꝛise, oꝝ otherwise deliuered, untill they haue paid a fine to the King at his pleasure, and satisfaction to the partie griened, and befoze their deliuerance they shall finde suretie that they shall not attempt such things in time to come. And if they cannot be found, an Crigent shall be awarded, against them by due pꝛoces, and writs shall goe foꝛth to apprehend their bodies, and in the meane time the R. shall haue the pꝛofit of their benefices oꝝ other Spirituall pꝛomotions.) But euerie of the R. Subjects of the said Archdeaconrie, and their Executors and Administratoꝝ, shall be bled foꝝ their goods and chattels, after their decease, in like maner, soꝛme, oꝝder, and condition, as is contained in the foresaid Stat. of 21. H. 8. Any custome, ble, composition, pꝛescription, oꝝ oꝛdinace, &c. notwithstanding. 26. H. 8. 15.

Archdeaconry of Richmond.

Proces.

Writs of Debt, and Accompt, and all other such actions shall be brought in the Counties, and directed to the Shyriues of the countie where the contracts

Proces. Proclamation.

Actions
brought in
the Countie
where the
contracts were
Action vpon
the case.
Forcible
entry.

Seales of
Proces.

tracts of such action did arise: And if in Plees vpon the same writs it bee declared, that the contract thereof was made in another countie then is contained in the original writ, then incontinently the same writ shalbe abated. 6.R.2.2.

2 There shall be like Proces in Actions vpon the case sued in the K. Bench, and common place, as in Actions of Trespasse or Debt. 19.H.7.9.

3 The like Proces shalbe had in euerie Action to be brought vpon the Statute of 5. R.2.7. as in a common action of Trespasse at the common Law. And the like Proces shalbe had in euerie writ of Annuitie and covenant to be hereafter sued, as in an action of Debt. 23.H.8.14.

4 Where shall no writ concerning the common Law, be awarded vnder the little Seale. 28.E.1.6.

1 Proces in an Action vpon the case brought against the procurer of an Indictment, or Appeale. Appeales 5. Indictment 3.

2 Proces in Attaint. S. Attaint 2.6.

3 Proces in Debt, and Detinue of cattels. S. Exigent 1.

4 Proces in an Action of Forger of false deedes. S. Forgerie 3.

5 Proces in Communi custodia. S. Wards 2.

6 What Proces shall bee awarded against a person indicted of Felonie. S. Indictment 5.

Proclamation.

Proclamati-
ons of Sum-
mons in real
actions.

After euery Summons vpon the land in any reall action, foureteene dayes at the least before the day of the returne thereof, Proclamation of the summons shalbe made on a Sunday immediately after diuine Service and Sermon, if any Sermon there be, and if no Sermon there be, then forthwith after diuine service, at or nere to the most vsuall dooze of the Church or Chappel of that Colone or parish where the land wherupon the Summons was made doth lye, and that no Proclamation so made as aforesaid, shall be returned, together with the names of the Summoners, and if such Summons shall not bee proclaimed and returned according to the tenor and meaning of this Act, then no Grand cape to be awarded, but an Alias and Pluries Summons, as the case shall require, vntill a Summons and Proclamation shal be duly made and returned according to the tenor and meaning of this Act. 31.El.3.

1 For Proclamation vpon Exigents and Outlawries. S. Exigent.

2 For Proclamation vpon Fines leuied. S. Fines 3.

3 Proclamation that a Recusant indicted shall yeeld his body to the Shirife. S. Recusants 13.

4 Where Proclamation shall be made in a writ of Admeasurement of pasture or Dower. S. Admeasurement 1.

5 The Kings Auditors shal make Proclamation in market townes, of the times and places of keeping their Audits. S. Audits 1.

6 Proclamation shall be made vpon a distresse deliuered of record in an Attaint. S. Attaint 2.

7 Proclamation shalbe made, that a Bankrupt shall yeelde his body to the Commissioners. S. Bankrupts 8.14.

8 Proclamation shalbe made when a writ shalbe directed to the Bishop, to certifie Bastardie. S. Bastardie 3.

9 Three Proclamations shall bee made in a writ of Communi Custodia. See Wards 5.

10 That a Proclamation shalbe of the force of a Statute. S. 31.H.8.8.

Pro-

Prohibition, Consultation.

The Kings Prohibition doth not lye when any tythes, oblations, obventions, or Portuaries (where Portuaries have bin used to be ginen) be by those names demanded in an Ecclesiasticall Court, although for the long withholding of the same, they be esteemed at a certaine summe of money. But if a Clerke doe sell his tythes being gathered in his barne, or elsewhere, for a certaine summe of money, if the money be demanded before an Ecclesiasticall Judge, the Kings Prohibition shall take place, for by the sale, spirituall things are become temporal, and tythes are turned into chattels. Art. Cleri 9. E. 2. 1.

Oblations:
Portuaries:
Money for
Tythes.

2 If an Ecclesiasticall Judge doe enioyne penance for deadly sinne, as for fornication, aduoutrie, and such like (for the which sometime corporall punishment and sometime punishment by the purse is enioyned) or for that the Chorchyard is vntimely, or the Church vntimely, or not conveniently decked (in which cases there is none other punishment but by the purse) or for laying of violent hands vpon a Clerke, or for defamation, when money is not demanded, but correction of the offence required, or for breaking of any oath, or if the Prelate of a Church, or an Advocate doe demand of a person a pension due to him the Kings Prohibition doth not lye: And in the foresaid cases the Ecclesiasticall Judge hath power to take order, notwithstanding the Kings Prohibition to him directed. Artic. Cleri 9. E. 2. Circumspice agaris 13. E. 1. For no Prohibition shall be directed out of the Chancery, but where the Kings Maestie hath, and of right ought to haue cognisance of the plea. 18. E. 3. 5.

Penance for
sinne.
The Church
not well vied.
Using violence
to one of the
Clergie.

No prohibition
but where the
King hath
cognisance.

3 If a Prelate or Ecclesiasticall Judge will appoint that one shall pay money for his offence, and the money is demanded of the offender, the Kings Prohibition doth not lye, but if he doe enioyne some corporall punishment, and they which are to be punished, will vpon their owne accord redeeme the same punishment with money, which money is demanded before the Ecclesiasticall Judge, the Kings Prohibition doth not lye. And likewise in Excommunication and defamation, the Ecclesiasticall Judge, may correct by enioyning a corporall punishment, notwithstanding the Kings Prohibition, the which if the offender will redeeme, by giving to the partie grieved money, he may, and the same may be demanded before an Ecclesiasticall Judge, and in those cases the Kings prohibition will not take place. But though any cause or businesse (the cognisance whereof belongeth to the Ecclesiasticall Court) shall be once determined before an Ecclesiasticall Judge, & become a thing adiudged, and not staied by appeale, if after question be mooued vpon the same thing, betwixt the same persons before any secular Judge, and be prooued by witnesses or instruments, the former iudgement shall be no exception in the secular Court, for one cause may be sued before Ecclesiasticall Judges and secular Judges, in severall respects (as for laying violent hands vpon a Clerke.) And therefore notwithstanding the Iudgement given in the Ecclesiasticall Court, the Kings Court shall deale in that cause as it seemeth good. Articuli Cleri 9. Edward. 2. 2.

Money for
corporall punishment.

Where a suit
may be commenced both
in the Spirituall & Temporal Court
for one offence

3. 4. 6.

4 If there be debate vpon the right of Tythes, (which hath his originall vpon the right of the Patronage) and the quantitie of the same Tythes doe exceed the fourth part of the value of the Church (if the suit be commenced before a Spirituall Judge) the Kings prohibition (viz. a writ of Inducavit doth lye. 9. Ed. 2. 2. Which writ of Inducavit shall not be granted to any man, before the matter depending in the Spirituall Court, betweene the parties, bee recorded and the Chauncelloz of England be certified thereof by the sight of the Libell. 34. Edw. 1. De coniunctim & cooffatis.

Inducavit.

Prohibition, Consultation.

- Silva Cedua** 5 If any Parson or Vicar doe implead any other in a Spirituall Court, for the title of wood being twentie yeares of age or aboue, in the name of Silva cedua, the partie sued shall haue a Prohibition, and vpon the same an Attachment. 45. Ed. 3. 3.
- It shall not be builded.** 6 If any person doe build a new Mill in his ground, and the Parson of the same Parish doe demand tithes thereof, the Kings Prohibition doth not lie. Art. Cleri. 9. E. 3. 4.
- Indictment in the Sherifes turne.** 7 If any Clerke or lay person being indicted befoze the Sherife in his Turne, and after by Enquest deliuered befoze the Iustices, do sue in the Spirituall Court against such Indictors, surmising that they haue defamed him, euerie person feeling himselfe thereby grieued, shall haue a Prohibition in the Chancerye vpon his case. 1. Ed. 3. 11.
- Consultation.** 8 If any Ecclesiasticall Judges do surcease to proceede in any cause moued befoze them by force of the Kings writ of Prohibition, in any case where remedy can not be giuen vnto the complainants in the B. Court, by any writ out of the Chancerye, the Lord Chancellor, or the chiefe Iustice for the time being, vpon sight of the Libell of the same matter, at the request of the plaintife (if they see that the plaintif can haue no remedie out of the Chancerye, but that the matter is determinable in the Ecclesiasticall Court) shall writ vnto the Judges befoze whom the matter was first brought in question, that they shall proceed in the same cause, notwithstanding the B. Prohibition to them directed. 34. E. 1.
- No prohibition on it albe allowed, after consultation granted.** 9 Where a Consultation is once duly granted vpon a Prohibition directed to any Ecclesiasticall Judge, the same Judge may proceed in the same cause by vertue of the same Consultation, notwithstanding any other Prohibition deliuered vnto him, but the matter in the Libell of the said cause shall not be enlarged, altered, or changed. An. 50. Ed. 3. 4.
- A copie of the Libell, shall be deliuered to the Judge, befoze a prohibition granted.** 10 If any partie for any cause appointed in the Statute provided (2. Edw. 6. for true payment of tithes and offerings) to be sued or determined in the Kings Ecclesiasticall Court, or befoze the Ecclesiasticall Judge, doe sue for any Prohibition in any of the B. Courts, where Prohibitions haue bin used to be granted, then befoze any Prohibition shall be granted to him, hee shall bring and deliuer to the hands of some of the Iustices or Judges of the same Court where such partie demandeth Prohibition, the verie true copie of the Libell depending in the Ecclesiasticall Court, concerning the matter wherefoze the partie demandeth the Prohibition, subscribed or marked with the hand of the same partie, and vnder the copie of the said Libell, shall be writtten the suggestion wherefoze the partie do demandeth the said Prohibition. And in case the said suggestion by two honest and sufficient witnesses at the least be not proued true in the Court where the said Prohibition shall be so granted, within five Moneths next following after the said Prohibition shall be granted and awarded: Then the partie that is hindered of his suit in the Ecclesiasticall Court by such prohibition, shall vpon his request and suit, without delay haue a consultation granted in that same case in the Court where the said Prohibition was granted, and shall also recouer double costs and damages against the partie that so pursueth the said Prohibition, the same to be assessed by the Court where the said Consultation shall be so granted, for which costs and damages the partie to whom they shall be awarded, may haue an Action of Debt by B. P. J. &c. in any of the Kings courts of Record, wherein no W. C. P. &c. 2. Ed. 6. 13. S. Tyches 15. &c. At what time a Libell is grantable by the Law, it shal be granted and deliuered to the partie without any difficultie, so the intent the partie may purchase the B. writ of Prohibition according to his case. 2. H. 5. 3.
- Consultation for detrait of prouing the suggestion.**

Prophecies.

If any person or persons doe advisedly and directly advance, publish, and set forth by writing, printing, singing, or any other open speech, or deed, to any person or persons, any sond, phantastickall, or false prophesie, vpon, or by the occasion of any Armes, Fields, Beasts, Badges, or such other like things accustomed in Armes, Cognisances, or Signets, or vpon or by reason of any time, yeare, or day, name, bloodshed, or warre, to the intent thereby to make any rebellion, insurrection, dissention, losse of life, or other disturbance within this Realme, or other the Queenes dominions: Then euerie such person being thereof lawfully convicted &c. for euerie such offence shall suffer imprisonment of his bodie by the space of one yere without baile or mainprise, and shall forfeit to the Queene and I.r.t. to be recovered by A. J. B. B. &c. wherein no W. C. B. &c. And if any offender doe estoones offend in any of the premises after such conviction, and be thereof lawfully convicted, then he shall for his second offence and conviction, suffer imprisonment without bayle or mainprise during his life, and also forfeit to the Q. and I. &c. all his goods and chattels, reals and personals. But no person shall be impeached of any offence committed contrary to this Act, vnlesse he be thereof impeached or accused within vi. moneths next ensuing such offence by him done. 5. Eliz. 15. S. Iust. of peace 24.

Protections.

If the Kings Maestie doe by his Prerogative, grant to any persons which bee bound to his grace for any manner of debt, Protections that they shall not be impleaded, for any debts which they owe to others, vntill they haue made satisfaction to him, for that which is due vnto him: Yet notwithstanding euerie man which hath cause of action against such debtors, shall be answered in the R. Court by the said debtors, and if the plaintife or demandant haue Judgement given for him, the execution of the Judgement shall be suspended, vntill the King be satisfied of his debt. And if the Creditors will take vpon them to answer the R. debt, they shall be thereunto receiued, and moreover shall haue execution against the debtor of the debt due vnto them, and also shall recouer against them so much as they pay to the king for them. 25. Ed. 3. 19.

By the kings protection the parties suit shall not be hindered but his execution.

2 No Protection with the clause (Volumus) shall be allowed before any Judge, for victuals taken or bought vpon the voyage, or service, wherof the protection maketh mention: For yet in pleas of trespassse, or of other contracts made or committed after the date of the same protection. 1. R. 2. 8.

Protectio cum clausula Volumus.

3 No protection with the clause (Quia profecturus) shall be allowed in any place wherof the suit is commenced before the date of the said protection (except it be in a voyage royall, or in the R. messages for the affaires of the Realme.) But they which be impleaded shall make their Attorneys to answer for them in such pleas, or saue themselves if they will. But the protection (Quia moratur) shall be allowed in all cases, as it hath bene. 13. R. 2. 16.

Protection, Quia profecturus.

4 If any saue in the Countrey without going to the service, for the which he is retained, more then a convenient time after hee hath his Protection, or doe remaine from the same service, and the Chancelor of England be thereof informed, he shall repeale his Protection. 13. R. 2. 16. And if one doe cast a Protection of the Kings service, and his aduersarie will challenge the Protection, and immediately when it is shewed forth, will auerre that his Aduersarie was within the foure seas, and forth of the Kings service, so that hee might haue come, the challenge shall

Cases of repleading a protection.

Purueyors, Takers.

shall be entred of recozd, and the matter shall remaine without day according to the nature of the Protection. And when the partie shall be resummoned and come into the Court, and demand iudgement, and hearing of the proces, and offer to auerre his challenge if his aduersarie will attend, if the enquest passe against him which cast the protection, it shall turne him to a default if he be tenant, and if he bee demandant, he shall lose his writ and be amerced. 33. Ed. 1. Statut. de Protectionibus.

**Protection
for the Countie
of Chester.**

5 No writ of course in the nature of a Protection shall bee graunted within the Countie Palantine of Chester, upon the suggestion of any person indebted to any other comming to the Exchequer in the said Countie Palantine, and there taking a copposall othe, that he shall pay his creditors as he shall be able (as in times past it hath bene vsed) without a speciall warrant from the king, his heires or successors containing such protection. 34. H. 13.

Purueyors, Takers.

**No subjects
Chatoz shall
take any thing
against the
owners con-
sent.**

If any Chatoz, or other officer of any Lord or other person, doe presume to take, or else doe take any victuals, cozne, hay, cariages, or any other thing of any of the kings liege people, in any maner against their wills, without making a lawfull bargaine betwixt the said Chatoz or Officer, and the said person (except it be for the king and his house) then if notice or request be made to the Shirefe, Bailif, Constable, or other of the kings Officers of the Cities, Boroughs, Counties, or places where such taking shall be, the said Shirefe, Officer, &c. shall immediatly take and arrest all such Chatozs and Officers so offending, and send them to the kings next prison, there to remaine without baile or mainprise, untill they haue deliuered all the things so taken, or the very value thereof. And if the said Shirefe, Officers, &c. doe the contrarie, they shall forfeit xx. l. whereof the king shall haue the one halfe, and the partie from whom the things were taken the other, if he will sue by A. of debt, wherein no W. &c. and if he will not sue, whosoever will, shall haue the suit to recouer the one moitie for the king, and the other for himselfe. And if any of the said Chatozs (other then the kings) be duely conuict of such vnlawfull taking, then they shall yeeld to the partie who so sueth, the treble value of the things so taken, and the double costs of their suits, and also shall make fine to the king. And in all those actions no W. &c. 23. H. 6. 14. It seemeth by some statutes, that if any mans Chatoz or seruant, other then the k. do take any thing of any man, but of him which will willingly sell it, as he can agree with the seller, or do not pay for it presently according to the agreement, it is felonie in the same Chatoz. 36. Ed. 3. 6. 7. R. 2. 8. S. 4.

Felony.

**No spirituall
persons goods
shalbe taken.**

2 No Shirefe, or other Officer of the kings, nor any other person, shall by commission vnder the great Seale, or priue seale, or without commission, take or carie away any maner of cozne, hay, victuals, horse, bullocks, carts, boats, ships, or any goods, of any Archbishops, Bishops, Prelats, Parsons, Vicars, or of any other of the Clergie vnder the colour of buying, or by any other meane, within their manors, houses, granges, nor in other places within the see of the Church, or in market townes, or any other places against the wills of them whose the goods bee, or of them in whose possession they then doe remaine. Neither shall the said Prelats or clergie be charged to receiue into their houses any hostages, or sojourners of Scotland, or other sozaine Region: Nor the horses, dogges, falcons, or other haukes of the kings, or any other persons against their wills. Saving they which of ancient right doe owe to his Grace that seruice, to keepe his horses, haukes dogs, &c. 3. Ed. 1. 1. 10. Ed. 2. 14. Ed. 3. 1. And if any of the kings purueyors, or takers doe the contrarie, the Prelats and Clerks shall haue their action of trespass against

against them, and recover their treble dammages. 1. R. 2. 3. And in al Commissions to be made for the pzoniffon of the kings house, the fees of the Church in enery place shal be excepted. 18. Ed. 3. 4.

3 Purueyors for the kings house shall pay or agree for the prizes that they shall make in the countrey of meate, drinke, and other necessarie things for the same house, with them of whom the things be taken, and they shall haue their warrant or commission with them (sealed with the kings great seale. 36. Ed. 3. 2.) containing their authoritie, and the things whereof they shall make prizes, or purueyance, the which warrant they shall shew to them of whom they make their prizes before they doe take any thing. And if any purueyor of the k. house by reason of his warrant doth make prizes in other sort than is afoze limited, if upon complaint made to the Treasorer and Steward of the kings house, and by enquirie, he be thereof attainted, he shall agree with the plaintife immediately, and be put out of the kings service for ever, and remains in prison at the kings pleasure. Stat. de pris. 28. Ed. 1. 2.

Purueyors shall agree for things taken.

Purueyors shall shew their commission.

4 If any make Purueyance or prizes without warrant, and do carry them away against the will of the owner, he shall be arrested by the towne where the prizes were made, and carried to the next gaole, and if he be thereof attainted, he shall be punished as a felon, if the value of the goods doe so require. 28. Ed. 1. 2. S. 20. Rich. 2. 5.

Purueyance without warrant.

Felonie.

5 All purueyances which shall be made for the kings house where he doth abide and passe through the countrey, shall be made by warrant and power giuen to them which shall make the purueyance, in which warrant it shall be contained, that they shall buy nothing but by agreement betweene the buyer and the seller, and by the good will of the sellers: & if any by colour of his commission take any thing against this ordinance, none shall be bound to obey him any more, than if he had no commission. 14. Ed. 3. 19.

Purueyance by the owners good will.

6 No Constable or his Bailife, shall take cozne or cattell of any man for to victuall his castle, if the man be not of the towne where the castle is, but he shall forthwith pay for the same (except the seller will respite the payment.) And if hee be of the same towne, the price of the Cozne and Cattell shall be paid vnto him within fourtie daies (except it be an ancient price due to the King, the Castle, or the Lord of the Castle.) Magna Charta. 9. H. 3. 19. Westm. 1. 3. Ed. 1. 7.

Purueyance for a castle.

7 If any take cozne or victuall to the kings vse upon credit, or to the garrison of a Castle, or other wise, and when they haue receiued their payment in the Exchequer, wardrobe or elsewhere, do withhold it from their Creditors, if they haue any lands or tenements, it shall be leuied of their lands and goods, and paid to their Creditors, with the damage they haue sustained, and also they shall pay a fine to the k. for the trespas, and if they haue no lands, they shall be imprisoned at the kings pleasure. 3. Ed. 1. 31.

Withholding of money due for prizes.

8 If any taker of Wood or Timber to the kings vse, for worke or any other thing doe cause to be cut or felled downe, any mans trees growing about or within his house, he shall pay to the partie his treble dammages, be one yeare imprisoned, and lose his Office. 25. Edw. tertij 6. But by the Statute of Mag. Charta. 9. Henrici tertij 21. no wood shall be taken for the king without the owners consent.

Taking of timber about a house.

9 No Purueyor of the kings shall take any more sheepe before sheare time, but so many as may reasonably suffice vntill sheare time, and after that time they shall take as many shorne sheepe, and not other, as may reasonably suffice for the time to come. And if any Taker, Purueyor, or Buyer, take any sheepe with their wooll, betwixt Easter and the feast of S. John Baptist, praise them at a small

Taking of sheepe.

Purueyors.

Felonie.
Quare.

price, and send them to his house to be thorne to his owne profit, and thereof be attained at the suit of the King, or the partie, he shalbe vsed as a thiefe, or a robber. 25.Ed.3.15.

Purueyance
for the kings
horses.

10 All purueyances that shall be made for the Kings great Horses, so long as they doe sojourne in any Countrey, shall be made by the Sherifes of the Counties where such horses doe sojourne, and not by any other, and the purueyances made by the Sherife in this case, shall be deliuered to the keepers of the Horses, by Indenture. 14.Ed.3.4. But no Commission shall be made to any, but onely a Commandement to the Sherife, that he make purueyance of the issues of his Bailiwick: And the number of the Horses for the which he shall make purueyance, shall be contained in the Commandement, and no purueyance shall be made aboue that number: Sauing that the chiefe keeper shall haue a Hackney, and for euery Horse shall be allowed one servant, without bringing women, pages, or dogs with them: And if there be any more found there remaining to charge the Countrey, they shall be sent to prison, vntill the Kings pleasure be knowne. And in like manner, purueyances shall be made for the kings dogs, when as he sendeth them into the Countrey, and if any man be grieved against the forme aforesaid, he shall haue his remedy against the Sherife. 14.Ed.3.16.

Purueyance
for the Kings
dogs.

Purueyance
for the Kings
wardrobe.

11 Takers of prizes in Faïres, good towne, and in ports, for the Kings wardrobe, shall haue their common warrant vnder the Seale, and the things that they shall take, shall be testified vnder the Seale of the keeper of the Wardrobe: Of the number of the things taken, the value, and the quantitie, there shall be an Indenture made between the Takers & the keepers of faïres, maiors and bailiffs of those Townes and Ports where such goods be taken, by the view of those Merchants whose goods be taken, and they shall take no more than is contained in their Indenture, which Indenture shall be sent into the Wardrobe vnder the Seale of the keepers of the faire, Maio, or chiefe Bailife, there to remaine vntill the account of the Wardrobe be given to the King. And if any be found that he hath taken otherwise than he ought to doe, vpon his account, he shall be punished by the keepers of the Wardrobe, according to his deserts. And if any make such prizes without warrant, he shall be punished as a Felon, if the value of the goods do require it. But the kings right of auncient prizes due and accustomed of Wines and other goods shall be saued. 28.Ed.1.2.

Felonie.

No victualer
shall be a Car-
rier of cariage.

12 If any Letters patents at any time shall be graunted to any Hostellers, Brewers, or other Victualers keeping hosteries, or houses of retailing of victuals, to take Horses and Carts for the kings cariage, the same patents shall be void. 28.H.6.2.

Taking money
to spare
any mans
horse, or cart,
or taking
without an
officers deli-
verie.

13 If any person doe take any Horse or Cart, without agreeing with the owner for the same, and by the deliuerance of the Maio, Sherife, Bailifes, or Constable, where such taking is, or do take any money of any person for to deliuer vnto him his Horse or Cart, which he hath taken, or doe take any fine of any of the people to shew them fauour, and not to take their Horses or Carts, then he or they from whom such Horse or Cart, or of whom such fines or payments be taken, shall haue an Action of Trespas at the Common Law for such takings, and shall recouer against the offender treble damages. Sauing to the king his prerogative and preeminence of and in the premisses. 28.H.6.2.3.Ed.1.31. But no demesne Cart of of any Spirituall person, Knight, or other Lord, shall be taken by the Kings Bailifes. Magna Charta 21.9.H.3.21.

Receiuing re-
ward to
charge ano-
ther.

14 No Buyer or Purueior of Victuals, or Takers of carriages, shall receiue of any one or other any gift, or other good turne to spare him, nor shall charge or grieve any man by reason of such takings, buyings, and carriages for hatred, enuie, enuill will or procurement: And if he doe, and thereof be attained at the parties suit, he shall

shall peeld to the partie his treble dammages, haue two yerres imprisonment, be punished at the Kings pleasure, and forswear the Court: And if the partie will not sue, he that will sue for the King, shall haue the third peny of that which shall be recovered, for his pains, and neuerthelesse the Purueyor shall receive the foresaid punishment. 36.Ed.3.3.

15 Certaine Merchants, or other honest and discret men shalbe assigned by the Lord Treasurer to make purueyance of Flesh, Fish, and other victuals for the Kings warres, and for to victuall castles and towne in England, or elsewhere, without Commission, and without the Kings authoritie, or any other: So that no man shall be enforced to sell any thing against his will. 14.Ed.3.19.

Purueyance for ships and Castles.

16 All Takers and Purueyors shall take all Cozne, Hay, Litter, and other victual & goods of the Kings people by measure striked, according as is used through the Realme, and shall not measure them by heape, nor otherwise take excessive measure, and shall make present payment for the carriage thereof. And no man is bound to deliuer for the Quarter but eight Bushells striked. 4.Ed.3.3.25.Ed.3.1.36.E.3.2.11.H.7.4. And if any of the Kings purueyors, or other persons, doe buy or take any Cozne in other sort, or by other measure, but eight Bushells striked for the Quarter, and thereof is attainted, he shall be one yeare imprisoned, pay to the King one Hundred shillings, & to the partie grieved as much for every time that he is thereof attainted. And the partie that will sue, may haue his action vpon the case, and as well the partie grieved, as every one of the Kings liege people, which will sue for the King, may maintaine the suit in this case at his pleasure. And nothing shall be taken for measuring of the said Cozne. 1.H.5.10.11.Hen.6.8.S.Iustices of Peace 59.

By what measure Purueyors shall take.

17 The Cozne, Cattell, and other victuall, and things which shall be taken for the Kings house, shall be taken in such place where most plentie is, and in convenient time, and no more then is needfull for that season. And if the Purueyor or buyer cannot well agree with the seller, for that which he shall need, then the same shall be praised at the very value, by the Constables, and foure honest men of the Townes where such taking is, thereunto sworn, and the praylers shall not be constrained by menace, threats, dures, or other villanie, to set any price, other then their othes doe require, but as such things doe commonly go in the next Markets. And Indentures or Tayles shalbe presently made betwixt the Purueyors, & those from whom the goods be taken, in the presence of the said Constables, and foure praylers, containing the quantitie of their takings, the price, and of what persons, and they shall be sealed with the Purueyors seales, by which Indentures or Tayles, satisfaction shall be made to them from whom such goods be taken. And if any Taker or Purueyor doe make his prouision in any other manner then by foure discret men of the Towne, or doe not deliuer Tayles or Indentures with his seale, as is before sayd, he shall be incontinently arrested by the Towne where such purueyance was made and brought to the next Gaole, and if he be thereof attainted, he shall be punished as a Felon, if the quantitie of the goods doe require. 5.Ed.3.2.10.Ed.3.1.25.E.3.1.36.Edw.3.2.

Appraisement of things purchased.

But consider the foresaid Statutes diligently, whether the Appraisement shall be made by the Lords of the Townes, or their Bailifes, or by the Constable and 4. men of the Townes, and whether there shall be Indentures deliuered or Tayles, and also whether the said Indentures or Tayles shall be made betweene the Purueyors and foure Praisers, or betweene the Purueyors and owners &c. for thereupon the foresaid Statutes doe somewhat differ. S.27.28.

Quizes

18 Commissions shall be directed vnto two wise and credible men of every Countie, and to a third man of the Kings house, that they thre, or two of them shall enquire of the behauour of the Kings purueyors and buyers, and how much the Kings purueyors

Commissions to enquire of Purueyors behauiour.

Purueyors.

purueyors of victuals and great hoxses haue taken and bought, and how much carriage they haue taken of euery village, or single person, and to heare and determine as well at the Kings suit, as at any other mans which shall find himsele grieved, the contemptes, outragious dealings, and trespasses committed by them in this matter. And that the said Iustices or Commissioners may be duly informed of the foresaid things, the Steward, Treasorer, and Comptroller of the Kings house shall assemble together, and call befoze them; all the Clerkes and other Officers of the same house, and seeing the receipt of the parcels putieyed in the countrie, & spent in the said house euery quarter, or halfe yeare, shall certifie into the Chauncerie the parcells taken in euerie village, and of euery person: Which certifiat the L. Chancellor shall send downe to the foresaid Iustices or commissioners, and if it be found at the R. or the parties suit in the countrie by euidence of the Iudicors, or in other manner, that the purueyors haue taken moze than they haue deliuered to the R. house, and that they haue not paid for that which they haue taken, it is felonie, and they shall be punished as felons. 36. Ed. 3. 4.

Felonie.
Durueyance
in other man-
ner then is
comprised in
his commissi-
on.

19 If any taker or buyer, after commission, to him directed, doth puruey or buy, or take any carriage in other manner than is comprised in his commission, it is felony. 36. Ed. 3. 2.

Purueyors
oath.
The name of
Purueyors
changed.
Resistance of
the Puruey-
ors offending.

20 Euery purueyor and buyer for the R. befoze he hath his Commission, shall be sworn in the Chauncerie, that he shall take nothing of the kings people, contrarie to the foresaid statute made 36. Ed. 3. against the disorder of purueyors: In which statute amongst other things it is ordained, that the heinous name of purueyors shall be changed, and that they shall be called buyers, and that there shall be as few of them as may be. 23. H. 6. 1. 2.

21 The payfors, and al the townes adioyning (if need be) are bound to do their indeauour, to resist the Buyers and purueyors doing contrarie to the said statute made 36. Ed. 3. and as much as in them is to execute the same statute vpon the purueyors, if they be required, and he which is grieved with the taking of his goods, contrarie to the said statute, may choose to haue his action of debt against the sayd payfors, Towne or Townes, and euery of them which doe not their indeauour in resistance of the said purueyors or buyers, in forme aforesaid, when they be required, or else against the said purueyors, and euery of them, to recouer treble value of the goods so taken, and also his treble costs and damages. And if any purueyor, or other of the Kings Officers doe trouble in the Parishes, or elsewhere any of the Kings liege people, by any suggestion, or cause fained against them, because of the execution of the foresaid ordinances made 39. Edw. 3. he shall forfeit to the partie grieved twentie pounds, beside his damages and costs thereby sustained: And the partie shall haue thereupon an Action of debt. And euery issue triable in this action shall be tried in the Countie where the goods were taken, and the defendants in all the foresaid cases shall answer without fouching, and no W. r. C. p. nor aid of the king shall be allowed to them. And the Sergeant of the Cattrie, shall satisfie all the damages, debts, and executions which shall be recovered against any purueyor vnder him in all the foresaid cases. And if the purueyor be not sufficient to make satisfaction, the plaintife shall haue a Scire facias against the said Series and to haue execution. 21. H. 6. 1.

Sergeant of
the Cattrie.

Readie pay-
ment.

22 No Purueyor or Buyer, shall make any purueyance for the Kings house of any thing to the value of foztie shillings or vnder, except he make readie paymet in hand, vpon paine to lose his Office, and to pay the value to the partie grieved. 2. H. 4. 1. 4. And in case any Purueyor, buyer, or taker, will take or buy any thing to the value of foztie shillings, or vnder, of any person, and make not readie payment in hand, then it is lawfull to euery of the Kings liege people to retaine their goods and chattels, and to resist such purueyors and buyers, and in no case to suffer them

them to make any Purueyance. And every Constable, Tithingman, or chiefe pledge of every Towne or Hamlet, where such purueyance shall be made, shall be assisting to the possessor or seller of such things, to be taken against the forme aforesaid, to make resistance in forme aforesaid, in case they be required so to doe, upon paine to yeeld to the partie grieved the value of the things so taken, with his double damages, and none of the Kings people shall be put to any losse or damage by the king or any of his officers for such resistance. And none of the Kings officers shall cause any of the Kings people to be arrested, bered, or impleaded in the Court of the Marshalsey, or elsewhere, for such retaining or not sufferance, upon paine to forfeit xx. s. to the King and 3. s. 4. d. And in every Action commenced upon this statute, the defendant shall answer without aid of the king, and in such action process shall be made, as in a writ of Trespas done against the peace. 20. H. 6. 8. S. I. of Peace 58.

23 Purueyours assigned by the kings commission for provision for his Grace, shall and may provide all victuals, cozne, and other kind of things whatsoever it be, as well within liberties and franchises as without: Any graunts, allowance, or other thing to the contrary, or let thereof notwithstanding. But such purueyours shall observe the statutes for them provided in every behalfe. 27. H. 8. 24.

Purveyors may take within liberties.

24 No Purueyor or other person whatsoever, shall by vertue of any commission or otherwise, take any Herrings or Sea Fish from any the Queenes subiects, that shall take the same in the ships or other vessels of the said subiects, otherwise than by agreement of the owners or sellers of the said fish, upon paine to forfeit the double value of the Herrings or Fish so taken. And it is lawfull for any person being owner or seller of any fish so taken, to withstand any person that wil (by colour of purueying or otherwise) demand any such fish, or the toll of any such fish, without the good will of the owner or seller. Provided that the fish called composition fish, heretofore granted to the Queen by the subiects of this Realme traveling into Ireland, shall be taken by her Maiesties officers and purueyours, in such sort as the same hath bene lawfully used to be taken before the making of this Act. And saving to the Queen her heires and successors, and to all other persons, such fishes as be knowne and used to be called Regall fishes, whereunto her Maiestie or the said other persons haue, or shall haue right or interest for such recompence as heretofore haue bin accustomed. 5. El. 5. 1. Jac. 2. 5. To continue to the end of the first Session of the next Parliament.

Taking of fish.

Composition or regall fish.

25 Every Commission that shall be made, graunted, and directed to any person or persons, whereby he or they, or his or their deputies shall haue authoritie to take any Beeves, Wethers, Lambes, Calues, or any kind of salt Fish, or any kind or kinds of grain, or butter in barrells, or other vessels, cheese, bacon, conies, pigs, geese, capons, or hennes, shall not continue above six moneths at the farthest, next ensuing the date of any the said commissions, and after the end of the said six moneths, every of the said commissions shall be void, whatsoever words, matter, or sentences be contained in any of them. 2. & 3. P. & M. 6.

How long commissions for the taking of victuall shall endure.

26 In every such Commission shall be plainly aswell expressed such Countie or Counties, as any of the said beeves, wethers, lambs, calues, hogs, or swine, or any kind of salt Fish, or any kind or kinds of graine, butter, cheese, bacon, conies, pigs, geese, capons, or hens, or any of them, is to be purueyed or taken in by any of the persons or their deputies so authorized by the said commission, as also the full portion and number of all such beeves, wethers, lambs, &c. or any of the, as any of the said persons or their deputies shall be by force of the said commission authorized to take or puruey within any of the said Counties. 2. & 3. P. & M. 6.

In commissions the countie where, and the quantitie of the thing to be taken, shall be expressed.

27 To every such commission shall be annexed so many blankes in parchment, as there shall be severall Counties named within the said commission, in the which blankes

Blankes annexed to commissions.

Purueyors.

blankes shall be faire and legibly witten all and euerie such Beenes, Wethers, Lambs, Calues, Swine, any kind of salt fish, or any kind of grain, Butter, Cheese, Bacon, Conie, Pigs, Geese, Capons, & Hens, with the true and seuerall prices of euerie of them, as shall be purueyed and gathered by any person or his deputies, thereunto authoized by any such commission, within any particular towne, parish, or hamlet, being within any those counties as shall be expessed within the said commission, whereunto shall be subscribed the name or signe manuell of euery such high constable, petit Constable, or Headborough, as shall be by any precept to him directed by any person, or any of his deputies authoized thereunto by such commission, proue or knowledging to the deliuerie of the said beenes, or other things asforesaid, or any of them. 2. & 3. P. & M. 6.

The high Constables hand set to euery blank.

Dockets deliuered to the high Constables.

28 Euery person or his deputie which shall be by commission authoized to take any Beenes, Wethers, Lambs, Calues, Swine, salt fish, or any kind of Graine, Butter in barrells, or other vessels, Cheese, Bacon, Conies, Pigs, Geese, Capons, and Hennes, or any of them, shall make a Docket or Biefe in witing, subscribed with his name, containing all and euery such Beenes, Wethers, and other things asforesaid, as he shall by vertue of the said commission take within any particular Towne, Parish, or Hamlet, in any such countie or counties, as shall be expessed within the said commission, and the same docket or biefe faire and legibly witten and subscribed, shall well and truly deliuer to the said high Constable, petit Constable, or Headborough, at such present time, as the said beenes, or other things asforesaid shall be deliuered to any of them, vpon paine of one yeares imprisonment, and to forfeit a Hundred Markes to the Queene and I. to be recovered by A. J. &c. wherein no W. or C. B. or as oft as he shall offend. All which Dockets or Biefes, the said High Constable, petit Constable, or Headborough shall deliuer ouer to the Justices of peace at the next generall Sessions holden within any of the said counties. And the same Justices, or two of them, may and shall from time to time certifie the whole number and content of all and euery of the said dockets and biefes to the Lord Steward of the Queenes household, or to the Treasurer or controller of the same, or any of them, or to the Treasurer or controller of the Queenes ships, if prouision of any the things before mentioned be taken for the victualling of the Paule, or any of the Queenes shippes, whereby the true serving of any of the foresaid commissions, and true answering of the same shall fully appeare. 2. & 3. P. & M. 6.

Dockets deliuered to the Justices of peace.

If former statutes prouided for purueyors must be obserued.

29 It shall not be lawfull to any person, or his deputie, authoized by such commission, to leuie, take, or puruey any Beenes, Wethers, Lambes, Calues, any kind of salt fish, graine, butter in vessels, cheese, bacon, conies, pigges, geese, capons, and hens, or any of them, in any other sort then is expessed in seuerall Statutes heretofore made for Purueyors, vpon such paine and paines, as in the said seuerall Statutes is contained. 2. & 3. P. & M. 6.

Statutes prouided for purueyors, shall extend to their Deputies.

30 All and euery such lawes, statutes, and prouisions as heretofore haue bene made against Purueyors, and all and euery of the paines, penalties, forfeitures, and losses, appointed in any of the same lawes and statutes against Purueyors and Takers, shall also be extended and executed vpon euery of their undertakers, deputies, and seruants and all other which by colour shall take any victuall, or any other thing by force of any such commission from any the Queenes subjects, contrary to the tenor and effect of any of the said lawes or statutes, in like manner to all intents, as the same should or ought to be extended against Purueyors and Takers themselves, and as strongly as if the said undertakers, deputies, and seruants were specially and particularly named in euery of the said statutes. 2. & 3. Phil. & Mar. 6.

31 Euery Commission that shall be made and graunted vnto any Purueyor, shall

shall be written in the English tongue, and not other wise. 2. & 3. P. & M. 6.

32 No Purueyor, Taker, Badger, Loader, Poulter, or other Minister for the Queene, her heires or successors, nor any other common Poulter, shall take, or bargain for any kind of victuall or graine, in any of the markets or Townes of Cambridge, or the citie of Oxford, or eyther of them, or within the compasse of five miles thereunto adioynning, without the consent, agreement, good will, and licence of eyther of the Chancellors, or Vicechancellors, in writing obtained under the seale of the office of the said Chancellor, or Vicechancellor of eyther of the said Uniuersities, and in no other forme then in the said licence shall be expressed: So as the same shal not to any of the said Purueyors, or others, any further authoritie then they haue, or may lawfully vse in other parts of the same countrey, being without the said limits of five miles: Neyther shall attempt to carrie, take away, or bargain for any graine or other victuall bought and provided within the said space of five miles, by any common minister of any colledge, Hostell, or Hall, to be spent within any of the same colledges, Hostells, or Halls, without like licence, and in no other forme then is next before mentioned, upon paine of forfeiture of the quadruple value of any such graine or victuall so taken or bargained for, in any of the said Markets, or within the space of five miles, or attempted to be taken, carried away, or bargained for, being provided to be spent in any of the said colledges, Hostells or Halls: The one halfe of which forfeiture shall be to the common Treasorer of eyther the said Uniuersities, respectively to the fault committed against this their priuiledge, the other to the party that will sue for the same by A. T. &c. in any court of Record, or before the foresaid Chancellor, or his Vicechancellor, or Commissarie, and two Iustices of the Peace, of the countie where the said Uniuersitie is set: And further shall suffer imprisonment for the space of thre moneths, without baile or maineprie. 2. & 3. P. & M. 15. 13. El. 21. S. Iust. of P. 60.

Commissions written in the English. Purueyance within Cambridge, or Oxford, or five miles thereof.

33 If any person within the said precinct of five miles, shall refuse reasonably to serue the necessarie provision of the said Uniuersities, according to the true meaning of this act, then it shall be lawfull to any of the Takers or Purueyors, to provide any coine or victuall of any such person, within any part of the precinct aforesaid, to the vse of the Qu. as shall be declared to the said Takers, to be persons not worthy of the said priuiledge (for not reasonable seruing the necessities of the said Uniuersities, by the Chancellor or Vicechancellor of either of the said Uniuersities, with the consent of two Iustices of Peace, resident within either of the said Uniuersities) citie, town, or countie, vnder their hands and seales, as the said Purueyors lawfully may in any other place without the said precinct of five miles, and not other wise. 13. El. 21.

Purueyors may take of them which refuse to serue the Uniuersities.

34 But this Act shall not be put in execution at any time, whensoever the Qu. her heires or successors shall come to any of both the said Uniuersities, or within five miles of either of them, but shall be in suspence during that time onely, and no longer. 13. El. 21.

The Act suspended during the Qu. continuance within seven miles. The libertie of Oxford and Cambridge reserved.

35 This Act shall not be preiudiciall to the Mayo, Baylifes, and Comminaltie of the citie of Oxford: Nor to the Mayo or Comminaltie of the Towne of Cambridge, or to their successors, concerning any of their liberties or priuiledges. But euery of them and their successors respectively may haue and vse the same in such manner as they ought to haue done before the making of this Act, 2. & 3. P. & M. 15. 13. El. 21. 1. Jac. 25. to continue in force vntill the end of the first Session of the next Parliament.

1 No Purueyor of Timber, shall sell any Timber to the Kings vse, but only in bargaining time. S. Leather 14. 15. 16.

2 The Statute provided for the preseruacion of Woods, shall not extend to Woods

Quare imp. Quod permit. Quod ei deforc. Rape.

Woods purveyed by the Q. Commission. See Woods 17.

3 Concerning Purveyors for Cities and Corporat Townes. S. Badger 4.

Quare impedit.

Process in
Quare imp.

If assises of Darreine presentment, and in the plee of Quare impedit, of Churches being void, dayes shall be giuen from 15. dayes to 15. dayes, or from three weekes to three weekes, as the place shall be nere or farre off. And in the plee of Quare impedit, if the disturber doe not come at the first day whereunto he is summoned, nor to cast an Excoine, then he shall be attached against another day, in which if hee come not, nor cannot cast an Excoine, he shall be distrained by the graund distresse, and if he doe not then appeare, by his default the Bishop of the same place shall be writ, ten unto, that the disturbers deniall at this time nothing hinder the plaintife, saving the disturbers right another time when he will sue. The same law as to the making of Attachments, shall be observed in all writs where Attachments lie, as in making distresses, so that the second Attachment shall be made by better pledges, and at the least a distresse. Marleb. 52. Hen. 3. 12. See Auowson, Incumbent, Laple, Alsile 12.

Quod permittat.

Iuris verum.

Even as the Parson of a Church may recover common of Pasture by writ of Nouel disseisin, so shall his successo recover against the disseisor or his heire, by a writ of Quod permittat. And as there is a writ grantable to enquire, whether a tenement be the free alms of such a Church, or the lay fee of such a man: So the like writ may be awarded to enquire whether it be free almes of such a Church, or of another Church, in case where the free almes of one Church is transferred into the possession of another Church. Westm 2. 13. Ed. 1. 23.

Quod ei deforciat.

If lands be recovered by default against tenant in dower, tenant in franke marriage, tenant by the courtlesse of England, tenant for terme of life, or tenant in taile, in which cases the reuerfion is saved: Their default shall not be so preiudiciall to them, but they may recover their estate, if they haue right, by another writ then a writ of Right, viz. by a writ of Quod ei deforceat. And also they may bouch to warrantie him in the reuerfion. West. 2. 13. Ed. 1. 4.

Rape.

If any man doe rauish a married wife, a maide, or other woman, where shee doth not assent befoze nor after, it is felonie. And in like sort if a man doe rauish a married wife, maide, or other woman with force, though she doe consent after, it is felonie. West. 1. 13. Ed. 1. 34.

Abusing a
woman child
under 12. yeres
of age.

2 If any person shall unlawfully, and carnally know and abuse any woman child, under the age of 12. yeres, it is felonie, and the offender thereof being duely convicted shall suffer as a felon, without allowance of Clergie. 18. Eliz. 6. See Clergie 10.

The sort.
where the wo-
man rauished
doth consent.

3 If anie Noblemens daughters, Ladies, or other women be rauished, and after the same Rape committed, doe consent to the rauishors, as well the rauishors as they that be rauished, and euerie of them, shall be disabled, and be disabled ipso facto, to haue or challenge all manner of inheritance, dower, or ioint feoffement

feoffment after the death of their Husbands and Auncelloys. And immediately in this case the next of the blood of those raiſhoys, and of those which be raiſhed (to whom the inheritance, dower, or ioint feoffment ought to descend, reuert, remaine or come after the death of the raiſhoys, or her that is raiſhed) haue title incontinently after the rape, to enter vpon the raiſhoys, or her which is raiſhed, their assignes, and land tenants in that inheritance, dower, or ioint feoffment, and the same to hold by estate of inheritance. And the husbands of such women (if they haue husbands) or if they haue no husbands liuing, then their fathers, or other their next kinsmen in blood, shall haue the suit to prosecute, and may pursue, against the same offendours and raiſhoys, in this behalfe, and to conuict them of felonie, though the same woman after the rape doe consent to the raiſhoys. And in this case the Defendant shall not wage Battell, but the truth of the matter shall be tried by the countrey. Sauing alwayes to the King and other Lords of the Realme, all their Escheats of such raiſhoys if they be conuicted. 6.R.2.6.

1 How the def. in appeale of Rape shall be vsed. S. Coroners 7.

Receit.

If in an Action brought against the husband and the wife, of lands which be the right of the wife, the husband will absent himselfe, and will not defend his wiues right, or wil, against his wiues consent, yeld the land: If the wife will come before Judgement, and be ready to answer to the demandant, and to defend her right, she shall be thereunto admitted. West. 2. 13. Ed. 1. 3.

where the wife shall be received vpon the husbands default.

2 If any man doe purchase a witte against tenant in dower, tenant by curtesie of England, or any other tenant for terme of life, or tenant in taile, of lands, where the reuerſion is in another, and he doth make default, or will yeelde the land, the heires, or they that haue the Reuerſion shall be admitted to answer, if they come before Judgement. And if by default or yeelding, iudgement shall be giuen, then the heires, or they which haue the reuerſion, shall recouer after the death of such tenants by a writ of Entre ad communem legem. West. 2. 13. Edw. 1. 3. But if any man being not partie to the suit, will come before Judgement in the foresaid case, and desire that he may be admitted, he shall find such sufficient ſuertie before his admission, as the Court shall thinke meete, to satisfie the demandant the value of the issues of the land so to be recouered, from the day that he is received to make answer, until the day that final iudgement shall be giuen vpon the demandants petition. And if the demandant doe reconer the thing in demaund, the defendant shall be grievously amerced, if he haue whereof, and if he haue not whereof, he shall be committed to the Gaole, and there remaine during the Kings pleasure. And if he can proue his right to be such as he affirmed it at the time of his receipt, he shall goe quit. 20. Ed. 1. Defensioe Iuris.

where he in the reuerſion shall be received

The receipt of one not partie to the suit.

3 If anie Tenant for terme of life, Tenant in dower, Tenant by the curtesie, or Tenant in taile after possibilitie of issue extinct, be impleaded, and he in the reuerſion doth come into the Court, and prayeth to be received, to defend his right, at the day that the tenant doth plead to the action, or before, he shall be received to plead in chiefe to the action, without taking delay by voucher, aid pier, homage, or other delay whatsoeuer, so that after such receipt, he shall haue no delay by Protection, Essoine of the Kings service, or common Essoine, but the suit shall be hastened as much as it may by the Law. And dayes of grace shall be giuen by discretion of the Judges, betwixt the Demandant and him which is so received, and not the Common Dayes giuen in Places of Land (except the Demandant will thereunto assent) to the intent the demandant shall not bee too much delayed.

Receipt of him in the reuerſion dayes of grace.

Records.

delayed, which must plead with two aduersaries : And he in the reuerſion which praieth to be receiued, ſhall find ſureties for the iſſues of the land, as well where the receipt is counterpleaded, as where it is graunted, vt ſupra &c. 13. R. 2. 16.

Records.

In what ca-
ſes Juſt. may
amend recoꝝds.

The Kings Juſtices, beſore whom any miſpziſſion oꝝ default ſhall be found in any Recoꝝds oꝝ Pꝛoceſſe, which depend beſore them by way of Erꝛoꝝ, Abiꝛne- ment, oꝝ otherwiſe, oꝝ in retournes made by Sherifes, Bayliſes of Franchiſes, oꝝ any other perſon, by miſpziſſion of the Clerkes of anie of the ſaid courts, oꝝ by miſpziſſion of the Sherifes, Under-Sherifes, Coꝛoners, oꝝ anie other Officers oꝝ Clerkes, in wꝛiting of one letter oꝝ one ſyllable too much, oꝝ too little, haue power to amend ſuch default after their diſcretion, and by examination where they ſhall thinke good, as well after iudgement, as beſore iudgement, and as well after iudgement giuen vpon a verdict paſſed, as vpon a matter in law pleaded, and the ſame pꝛoceſſ ſhall not be auoided oꝝ diſcontinued therefoꝝ : But theſe Statutes extend not to Recoꝝds and Pꝛoces in Wales, oꝝ where pꝛoces of Outlawꝛie lieth, 14. Edw. 3. 6. 9. Hen. 5. 4. 4. Hen. 6. 3. 8. Hen. 6. 15. The Juſtices aſſigned to take Aſſiſes by the Kings Commiſſion in the counties of this Realme, ſhall cauſe to be deliuered into the Kings treaſurie, all the Recoꝝds of Aſſiſes of Nouel diſſeiſin, of Mordaunceſter, And of Certifications, with all their appurtenances, and appendants determined beſore them, euerie ſeconq peare that the plea thereof be deter- mined, and the iudgement giuen, without moꝝe delay. And the Recoꝝds and Pꝛoces of pleas reall and perſonall, and of Aſſiſes of Nouel diſſeiſin, of Mordaunceſter and certifications, and of other whereof iudgement is giuen and inrolled, oꝝ things touching the ſame pleas, ſhall in no wiſe be amended, oꝝ impaired, by new entring of the clerkes, oꝝ by the recoꝝd, oꝝ thing certified in witneſſe, oꝝ commandement of any Juſtice in any thing, after ſuch iudgement, oꝝ ſuch pleas be giuen and enrolled. 11. H. 4. 3.

In what ca-
ſes recoꝝds
may not be a-
mended.

Recoꝝds ra-
ſed oꝝ interli-
ned.

2 For Erꝛoꝝ aſſigned in any Recoꝝd, Pꝛoces, warrant of Attourney, oꝝ iꝛiginal wꝛit, oꝝ iudiciall, panell, oꝝ retourn, in anie place of them raſed oꝝ interlined, oꝝ in any addition, ſubſtraction, oꝝ diminution of woꝝds, letters, titles, oꝝ parcell of wꝛits, found in anie ſuch Recoꝝds, pꝛoces, &c. where ſuch raſure, interlining, addi- tion &c. by the diſcretion of the Judges of the Courts and places, wherein the ſaid Recoꝝd and Pꝛoces by wꝛit of Erꝛoꝝ, oꝝ otherwiſe be certified, doe appeare ſuſpicious, no Iudgement oꝝ Recoꝝd ſhall be reuerſed. And the Kings Juſtices of the courts and places, in which any Recoꝝd, Pꝛoces, Suit, Plea, Warrant of At- tourney, Writ, Panell, oꝝ Retourn, ſoꝝ the time being ſhall be, haue power to ex- amine them, by themſelues and their clerkes, and to amend (in affirmance of the Iudgement of ſuch Recoꝝds and Pꝛoces) all that which in their diſcretion ſeemeth to be miſpziſſion of the clerkes, in ſuch Recoꝝds, pꝛoces, &c. except Appeales, Indictments of Treason and Felonie, and the Outlawꝛies thereupon, the proper names, ſurnames, and additions omitted in Oꝛiginal Writs, and Writs of Cri- gent, according to the Stat. of 1. Hen. 5. 5. and in other wꝛits containing Pꝛoclamati- on, ſo that by ſuch miſpziſſion of the clerke, no iudgement ſhall be reuerſed oꝝ adnu- led. 8. H. 6. 12.

Variance be-
tweene the
Recoꝝd and
Certificat.

3 And if any Recoꝝd, Pꝛoces, Writ, Warrant of Attourney, Retourn, oꝝ Pan- nell be certified defective, otherwiſe then according to the wꝛiting, which thereof remaineth in the Treasozie, courts, oꝝ places from whence they bee certified, the parties in affirmance of the Iudgements of ſuch Recoꝝds and Pꝛoces, ſhall haue aduantage to alledge variance betwixt the ſame wꝛiting, and the ſaid certificat : And

And that found and certified, the same variance shalbe by the said Judges reformed and amended according to the first writing. 8. H. 6. 12.

4 If any Record, or parcell of the same, Writ, Returne, Pannell, Process, or Warrant of Attorney, in the courts of Chaucerie, Exchequer, the one Bench, or the other, or in the Treasorie, be willingly stolne, taken away, withdrawne, or avoided by any clerke, or other person, by cause whereof any Judgement be reversed, such stealer, taker away, withdrawer, and avoider, their procurors, counsellors and abettors, being thereof indicted, and by Process thereupon made thereof duly convicted by their owne confession, or by enquest to be taken by lawfull men, whereof the one halfe shalbe of the men of any Court, of the same Courts, and the other halfe of other, shall be adjudged for felons, and shall incurre the paine of felonie. And the Judges of the said Courts, of the one Bench or of the other, haue power to heare and to determine such defaults before them, and therefore to make due punishment as aforesaid. 8. H. 6. 12. S. 8. R. 2. 4.

Indefiniting
of Records.

5 Provided alwaies, that if any such Record, Process, Writ, or warrant of attorney, pannell or returne, or parcell of the same, be now, or hereafter shall be exemplified in the Chaucerie vnder the great Seale, and such exemplification there of record enrolled, without any rasing in the same place, in the exemplification, and the inrolment of the same: That then for any error assigned, or to be assigned in the said records, process, writ, warrant of attorney, pannell, or returne, in any letter, word, clause, or matter of the same varying, or contrary to the said exemplification and the inrolment, there shall be no judgement of the said records and process reversed nor annulled. 8. H. 6. 12.

Record exemplified.

6 If any Judge or Clerke do make any false entring of a plea, rase any Roll, or change any verdict, wherby any person receiveth disheritance, and be the therof convicted before the Justices and his Councell, he shall be punished by fine and ransom at the Justices pleasure, and satisfie the partie. And for the recovery of the inheritance, the partie shall sue by writ according to the Law. 8. R. 2. 4.

1 No Certiorare shall be granted to remove a Record, except it be signed with a Justices hand &c. S. Remover &c. 1.

2 What imperfections in Records the Court may amend after Demurrer joyned &c. S. Demurrer 2. 3.

Recoveries, and falsifying of Recoveries.

If any of the Kings subjects do suffer any Recoveries against them by the course of the Common law, of any manors, lordships, lands, or tenements, for the performance of their wils, or for the suerties of their wives Jointenures, for the Jointure of their sonnes and heirs apparant, and their wives, or for any other person or persons, according to their covenants and agreements, the recoverers in all such recoveries, their heirs and all assigns, may distraine the fermors, freeholders, and tenants which hold of the same manors, by rents, services, and customes, for the said rents, services, and customes, being due and unpaid, and make avowrie, or justify the same, as those persons against whom the said Recovery is, should have done, if the said Recovery had not beene had, and also haue like remedie for the recovering of the said rents, services, and customes, by avowrie. And also shall haue Quare impedit for an Avowson appendant to any of the said Manors, if the same Avowson fall void, and any disturbance be made, as those persons against whom the said recoveries were had, might, or should have had by the course of the common Law before the said Recovery, if any such Rents, Services, or Customes had beene denied them, or any such disturbance had beene had in their times. 7. Hen. 8. 4. S. Damages 8.

The recoverers may distraine the tenants of land recovered.

Quare impedit.

Recoveries, and falsifying of Recoveries.

Recoverie of
lands entailed
whereof the
reversion is
in the King.

The heire in
taile shal have
no recompence
in value.
Leases by re-
nant in taile
of lands
whereof the
reversion is
in the K.

Recoveries a-
gainst parti-
cular tenants.

Recoveries
vpon good
titles.

Recoveries
by the assent
of him in the
reversion or
remainder.

Tenant for
yeares may
falsifie a Re-
coverie had a-
gainst him in
the reversion.

2 No fained Recoverie had by assent of parties against any tenant in taile, of any lands, tenements, or hereditaments, whereof the reversion or remainder, at the time of such Recovery had, shall be in the King, shall binde or conclude the heire in taile, whether any common voucher be had in anie such fained Recoverie, or not. But after the death of euerie such tenant in taile, against whom any such Recoverie shall be had, the heires in taile may enter, haue, and enioy the lands, tenements, and hereditaments so recovered, according to the forme of the gift of intaile: the said Recoverie, or any other thing to be had, done, or suffered, by or against any such Tenant in taile, to the contrarie notwithstanding. 34.H.8.20.

3 The heires of euerie such tenant in taile, against whom any such fained Recoverie shall be had, shall take no advantage, for any recompence in value against the voucher, nor his heires. 34.H.8.20.

4 But this Act shall not be prejudiciall to the lessee or lessees, of any such tenant in taile made by writing indented, of any lands, tenements, or hereditaments, for terme of xij. yeares, thre lines, or vnder, wherupon the accustomed rent and rents, or more, is or shalbe reserved yearely during the same terme and termes, but the same lessee and lessees, shall and may haue and enioy his or their terme and termes therein, against the heires of euerie such tenant in taile, according to the tenor and effect of the statute made 32.H.8.34.H.8.20. See Leases 1.2.

5 All Recoveries to be had or prosecuted by agreement of the parties, or by couin against any tenants by curtesie of England, tenants in taile after possibilitie of issue extinct, or otherwise onely for terme of life, or lines, or of estates determinable vpon life, or lines, of any lands, tenements, or hereditaments, whereof the same particular tenant is, or shalbe seised of any such particular estate, as is aforesaid, or against any other, with voucher ouer of any such particular tenant, or of any having, or that had right or title to any such particular estate or tenancie, as is aforesaid, shall as against such person or persons, to whom any reversion or remainder thereof by force of any conveyance or deuice before that time had or made, shall, ought, or lawfully may appertain, and against their heires and successours, be better by hold. 14.Eliz.8.

6 But this Act shall not extend to any person or persons that will by good title recover any lands, tenements, or hereditaments, without fraud or couin, by reason of any former right or title, but all and euerie such Recoverie and Recoveries, vpon former rights and titles, shall stand and be in like force as they were before the making of this Act. 14.Eliz.8.

7 All and euerie such recoverie & recoveries to be had or prosecuted of any lands, tenements, or hereditaments, as is aforesaid, by the assent & agreement of any person or persons, to whom any reversion or remainder thereof then shall or ought to appertaine (so that the same assent and agreement doe appeare of record in any of the M. courts &c.) shall stand in like strength, and of like effect, against such person and persons that shall so assent and agree, their heires and successours, as they were before the making of this Act. An 14.Eliz.8.

8 If anie person doe make Leases of their lands, tenements, or other hereditaments, by Indentures, or without writings, to other persons for terme of yeares, if after the same lessors, their heires or assignes, doe cause or suffer recoveries to be had against them in the Kings, or any other Lords court, vpon fained and untrue title, by craft and couin, to put the said termors from the termes: all such termors, shall and may falsifie for his terme onely such Recoverie, in such wise and forme, as a tenant of a freehold shall and may do by the course of the Common law, where such tenant of freehold was neither partie nor partie to the same Recoverie. And the same termors, their executors and assignes, notwithstanding such Recoverie so had, shall enioy, retaine, and hold their said termes according to their said Leases,

les, against all such recoverers, their heirs and assigns. And the said recoverers their heirs and assigns, after such recovery so had, shall have like remedie against the said termors, their executors & assigns, by assize, or action of debt, for the rents and services reserved upon the same leases being due after the same recoveries, and also like actions against them for wast done after the same recoveries so had, in like manner and forme, as the said lessors should or might have had, if the same recoveries had never bin had. 11.H.8.15. Glouc. 6.Ed.1.11.

12. No Statute of the Staple, Statute Merchant, nor execution by Elegit, shall be avoided by means of any such fained recovery, but all persons having and lands, tenements, or other hereditaments in execution, or being intituled to have execution on any lands or tenements by any such means, shall have like remedie to avoid and falsifie the same recovery, as befoze is provided for the lessee for terms of yeeres. 11.H.8.15.

13. What Fines for alienation vpon writs of Entrie, sued vpon common Recoveries, shall be paid. S.Wils 8.

14. Where a woman shall forfeit her estate, for suffering a fained recovery against her, of land which she holdeth in Dower, for life, in taile, &c. See Women 1. 2.

15. For Recoveries and Deeds inrolled in Corporat Townes. S.Women 5.

16. That such things wherupon recoveries are to be suffered may be inrolled. S.Fines 11. 31. &c.

17. For suffering of recoveries of lands in Wales, and the K. fine for the same. S.Wales 11. 22.

Recusants.

All and every person and persons inhabiting within this Realme, or any other the Queenes Dominions, shall diligently and faithfully, having no lawfull or reasonable excuse to be absent, endeavour themselves to resort to their Parish Church or Chappell accustomed, or vpon reasonable let thereof to some usual place where Common Prayer and such service of God shall be used in such time of let by, on every Sunday, and other daies ordained, and used to be kept as Holie daies, and then and there to abide orderly and soberly, during the time of the Common Prayer, Preaching, or other service of God, there to be used and ministered, vpon paine of punishment by the censures of the Church, and also vpon paine that every person so offending, shall forfeit for everie such offence. v. to be levied by the Churchwardens of the Parish where such offence shall be done, to the use of the poore of the same parish, of the goods, lands, and tenements of such offender by way of distresse. 1.Eliz.2. Every person above the age of xvj. yeares, which shall not repaire to some Church, Chappell, or usual place of Common Prayer, but forbear the same, contrarie to the tenor of a Statute made in the first yeare of her Maies raigne, for vniformitie of Common Prayer, and being thereof lawfully convicted, shall forfeit to the Queenes, for everie moneth which hee or shee shall forbear, twentie pounds. And over and besides the said forfeitures, every person so forbearing by the space of twelue moneths as aforesaid, shall for his or their obstinacie (after certificat thereof in writing made into the H. Bench, by the Ordinary of the Dioces, a Justice of Assise and Gaole deliveree, or a Just. of P. of the Countie where such offender shall dwell or be) be bound with two sufficient sureties, in the summe of C.C. l. at the least, to the good behaviour, and so to continue bound, untill such time as the persons so bound do conforme themselves, & come to the Church, according to the true meaning of the said Stat. made in the 1. yere of the Qu. raigne. 13.El.1. S.Br.44.

No statute of recognisance shall be avoided by any fained recovery.

Every person shall resort to the Church.

S.Br.50.

Recusants.

Scholemaster. 2 If any person or persons, bodies politike and corporat, shall keepe or maintaine any Scholemaster, which shall not repaire to Church, as is aforesaid, or be allowed by the Bishop or Ordinarie of the Diocese where such Scholemaster shall be so kept, he shall forfeit for everie moneth to keeping him, tennne poundes. (Provided, that no such Ordinarie, or other Minister, shall take any thing for the said Allowance) And such Scholemaster or Teacher, presuming to teach contrarie to this Act, and being thereof lawfully convicted, shall be disabled to be a Teacher of youth, and shall suffer imprisonment, without baile or mainprise, for one yeare. 31. Elizab. 1. No person shall keepe any Schole, or be a Scholemaster out of any the Universities or Colledges of this Realme, except it be in some publicke or free Grammar Schole: Or in such Noble mans, or Noble womans, or Gentlemans or Gentlewomans house, as are not Recusants: Or where the same Scholemaster shall be specially licenced therunto by the Archbishop, Bishop, or Guardian of Spirituallties of that Diocese, upon paine that as well the Scholemaster, as also the partie that shall retaine, or maintaine any such Scholemaster, contrarie to the true meaning of this Act, shall forfeit each of them, for every day so wiltingly offending, s. The one moitie thereof to the King, his heires and successors, the other to him or them that will sue for the same in any of the Kings Courts of Record at Westminster, by A. of Debt, B. P. or J. wherein no C. P. W. ac. 1. Jac. 4.

Service in a mans private house.

3 Every person, which usually on the Sunday, shall haue in his or her house, the diuine service which is established by the law in this realme, & be thereat himselfe, or herselfe, usually or most commonly present, and shall not obstinately refuse to come to Church, and there to do as aforesaid, And shall also foure times in the yeare at the least be present at the diuine service, in the Church of the Parish, where he or shee shall be resident, or in some other open common Church, or such chappel of ease, shall not incur any paine or penaltie limited by this Act, for not repairing to the church. 23. El. 1.

To what use the forf. shall be employed.

4 All forfeitures of any summes of money limited by this Act, shall be divided in three equal parts, whereof one third part shall be to the Qu. to her owne use, one other third part to the Queene, for reliefe of the poore in the Parish where the offence shall be committed, to be deliuered by warrant of the principall officers in the Receipt of the Exchequer, without further warrant from her Maestie, and the other third part to such persons as will sue for the same, in any Court of Record, by Action, B. P. or J. in which Suit no C. P. or W. shall be allowed. And every person which shall forfeit any Summes of Money by vertue of this Act, and shall not be able, or shall sayle to pay the same within three moneths after Judgement thereof giuen, shall be committed to prison, there to remaine untill he hath payd the said summes, or conformed himselfe to go to the Church, and there do as is aforesaid. 23. Eliz. 1.

Imprisonment

Conuenous conueyances to defraud forf.

5 Euerie Gaunt, Conueyance, Bond, Judgement, and Execution, had, or made, sithence the beginning of this Session of Parliament, or hereafter to be had, or made, of conuenous purpose to defraud any interest, right, or title, that may or ought to grow to the Queene, or to any other person by meane of any Conuiction, or Judgement, by vertue of this Statute, or of the Statute of 13. Elizabeth. 2. shall be, and be Judged to be utterly void against the Queene, and against such as shall sue for any part of the said penalties in forme aforesaid. 23. Eliz. 2.

See Rome 2. ac.

A guiltie person conforming himselfe.

6 Euerie person guiltie of any offence against this Statute, other than Treason, and Conspiracy of Treason, which shall before hee be thereof indicted, or at his arraignment, or triall before Judgement, submit and conforme himselfe before the

the Bishop of the Dioces, where he shall be resident, or before the Iustices where he shall be indicted, arraigned, or tried (having first before made like submission at any his triall, being indicted for his first like offence) that upon his recognition of such submission in open Assises or Sessions of the county, where such person shall be resident, be discharged of all & every the offences against this act (except Treason and Disposition of Treason) and of all paines and forfeitures for the same. 23. El. 1.

S. Rome 7.3.

7 Provided, that neither this Act, nor any thing therein contained, shall extend to take away or abridge the authoritie or jurisdiction of the Ecclesiasticall cures for any cause or matter, But that the Archbishops and Bishops, and other Ecclesiasticall Judges may do and proceed, as before the making of this Act, they lawfully did, or might have done: Any thing in this act to the contrarie notwithstanding. 23. El. 1.

Ecclesiasticall cures

8 Everie Feoffment, Gift, Grant, Contepance, Alienation, Estate, Lease, Incumbrance, and Limitation of vse, of, or out of any lands, tenements, or hereditaments whatsoever, had, or made at any time since the beginning of the Queenes Maesties raigne, or at any time hereafter to be had, or made, by any person which hath not repaired, or shall not repaire to some Church, Chappell, or usual place of Common Prayer, but hath forborne, or shall forbear the same, contrarie to the tenor of the said Statute of Anno 23. Elizab. 1. and which is or shall bee revocable at the pleasure of such Offendour, or in any wise directly or indirectly meant, or intended, to, or for the behoofe, reliefe, or maintenance, or at the disposition of any such Offendour, or wherewith, or whereby, or in consideration whereof, such Offendour or his familie shall be maintained, relieved, or kept, shall be deemed and taken to be utterly void and frustrate, as against the Queenes Maestie, for, or concerning the leuying and paying of such Summes of Money, as any such person, by the Lawes or Statutes of the Realme already made, ought to pay or forfeit for not comming or repairing to any Church, Chappell, or usual place of Common Prayer, or for Saying, Hearing, or being at any Masse, and shall also be seized and had, to and for her Maesties vse and behoofe, as hereafter in this Act is mentioned: Any Pretence, Colour, Fained Consideration, or expresseing of any vse, to the contrarie notwithstanding. 29. Elizabeth. 6.

Certaine allowances void against the Queen.

9 Every conviction hereafter for any offence before mentioned, shall be in the Court commonly called the Kings Bench, or at the Assises, or generall Gaole deliverny, and not elsewhere, and shall from the Iustices before whom the Record of such conviction shall remaine, be extracted and certified into the Court of Exchequer, before the end of the Terme next insuing after everie such conviction, in such convenient certaintie, as the court of Exchequer may thereupon award out proces for seizure of the lands and goods of everie such Offendour as hath not payed their forfeitures, according to the Lawes and Statutes in such cases provided. 29. El. 6. S. Br. 43.

Convictions in S. Bench or gaole deliverny.

10 Everie such offendour in not repairing to divine Service, but forbearing the same contrary to the said Statute of Anno 23. Eliz. 1. as hath bin heretofore convicted of such offence, and hath not made submission, and been consozmable, according to the true meaning of the said Statute, shall without any other Indictment or conviction, pay into the receipt of the said Exchequer, all such summes of money, as, according to the rate of xx. l. for every moneth since the same conviction, do yet remaine unpaid, in forme as hereafter ensueth: That is to say, the one moiety thereof before the end of the next Trinity Terme, and the other moiety thereof before the end of the next Hilary Terme, or at any such other times, as by the L. Treasurer, Chauncelour, and chiefe Baron of the Exchequer, or any Two of them, shall by composition

At what time the money forfeited shall be paid.

Recusants.

position vpon good bond and suretie taken, be limited befoze the end of the said next Trinity Terme, if any such composition shall happen to be. And shall also in euery Easter and Michaelmas Terme, vntill such time as the same person do make submission, and be consozmable, according to the true meaning of the said statute, pay into the said receit of the Exchequer, xx. l. for euery moneth, which shall incur in all that meane time. 29. El. 6. S. Br. 43.

¶ E. l. a month after conviction without further indictment

11 Euery such offendour, in not repairing to diuine seruice, but forbearing the same, contrary to the said statute, as hereafter shall fortune to be thereof once convicted, shall in such of the Termes of Easter and Michaelmas, as shall be next after such conviction, pay into the said receit of Exchequer, after the rate of xx. l. for euery moneth, which shall be contained, in the Indictment, whereupon such conviction shall be, And shall also for euery moneth after such conviction without any other indictment or conviction, pay into the receit of the Exchequer aforesaid, at y. times in the pere, that is to say, in euery Easter Terme, and Michaelmas Terme, as much as then shall remaine vnpayd, after the rate of xx. l. for euery moneth after such conviction: And if default shall be made in any part of any payment aforesaid, contrary to the forme herein befoze limited, Then and so often the Qu. Maiestie shall and may by pprocess out of the said Exchequer, take, seise, and inioyn all the goods, and two parts a shew of all the lands, tenements, & hereditaments, leases and farmes of such offendour, as of all other the lands, tenements, and hereditaments, liable to such seisure, or to the penalties aforesaid, by the true meaning of this Act, leauing y third part only of the same lands, tenements, & hereditaments, leases and farmes, to and for the maintenance & reliefe of the same offendour, his wife, children, and familie. 29. El. 6. S. Br. 43.

¶ All the goods, & two parts of the lands and leases of him which payeth not xx. l. a moneth.

¶ The Indictment not mentioning that the party is inhabiting within the Realme.

12 The indictment of euery such offendour, mentioning the not comming of such offendour to the church of the parish, where such person at any time befoze such indictment was, or did haue house or residence, nor to any other Church, Chappel, or any all place of common prayer, shall be sufficient in the law. And if that not be needfull to mention in any such indictment, that y party offendour was or is inhabiting within this realme of England, or any other the Qu. dominions: But if it shall happen any such offendour then not to be within this realme, or other her Maiesties dominions, in such case the party shall be relieved by plea, to be put in in that behalf, and not otherwise. 29. El. 6.

¶ Reliefe to the indicted, not being within the Realme. A proclamation on that the party indicted shall pay his bodie to the Sheriffe.

13 And vpon the Indictment of such offendour, a Proclamation shall be made at the same Assises or gaole deliuary, in which the indictment shall be taken (if the same be taken at any assise or gaole deliuary) by which it shall be commanded, that the body of such offendour shall be rendred to the shirif of the same county, befoze the said next Assises or general gaole deliuary to be holden in the same county. And if at the said next Assises or gaole deliuary, the same offendour so proclaimed, shall not make appearance of recozd, then vpon such default recozded, the same shall be as sufficient conviction in law of the said offence, whereof the party so standeth indicted, as is aforesaid, as if vpon the same indictment, a trial by verdict thereupon had proceeded & bin recozded. 29. El. 6. S. Br. 42.

¶ The offendour submitting, or dying.

14 Provided alwaies, that whensoever any such offendour, as is aforesaid, shall make submission, and become consozmable, according to the forme limited by the said statute made (Anno 23. Elizab. 1.) or shall fortune to die, that then no forfeiture of twentie pounds for any moneth, or seisure of the lands of the same offendour, from and after such submission and consozmitie, or death, and full satisfaction of all the arrerages of xx. l. monethly befoze such seisure due, or payable, shall ensue, or be continued against such offendour, so long as the same person shall continue in comming to diuine seruice, according to the intent of the said statute. 29. Eliz. 6.

15 It shall and may be lawfull to and for the Lord Treasurer of England, Chancelor, and chiefe Baron of the Exchequer for the time being, or two of them, To assigne and dispose of the full third part of the xx. l. for everie moneth, payed, or to be payed into the receipt of the Exchequer, as is aforesaid, for the reliefe and maintenance as well of the poore, and of the houses of correction, as of impotent and maimed souldiers, as the same Lord Treasurer, Chancelor, and chiefe Baron, or any two of them, shall order or appoint. Any thing in the said Statute made Anno 23. Eliz. 1. mentioned to the contrarie in any wise notwithstanding. 29. El. 6. S. 4.

The third part of the forty shillings assigned to the poore.

16 It is quidded alwaies, that this Act, or any thing therein contained, shall not in any wise extend or be construed to make void, or impeach any Grant, or Lease heretofore made bona fide, without fraud or couine, whereupon any yearely rent or payment is reserved or payable, or any grant or lease hereafter to be made bona fide, without fraud or couin, whereupon the accustomed yearely rent or more shall be reserved, or any other conveyance, assurance, or assignement, whatsoever heretofore made bona fide, upon good consideration, & without fraud or couin, which is not, or shall not be revocable at the pleasure of such offender, otherwise than to give benefit or title to her maiesty, her heirs & successors to have, perceive, & enjoy such rents and payments, during the continuance of such lease or grant, according to the true meaning of this act &c. 29. El. 6.

Assurances made bona fide, not impeached.

17 This Act shall not in any wise extend, or be construed to continue any seizure of any lands or tenements of such offender in her maiesties hands, or in the hands of her heirs or successors, after the said offenders death, which lands or tenements he shall have or be seized of, only for terme of his life, or in the right of his wife: any thing in this Act &c. 29. El. 6.

Seizure of lands wherein the offender hath estate but for life.

18 If any person or persons above the age of xvi. yeares, which shall obstinately refuse to repaire to some Church, Chappell, or usuall place of Common Prayer, to heare diuine Service, established by her Maiesties Lawes and Statutes in that behalfe made, and shall forbear to doe the same by the space of a moneth next after, without lawfull cause, shall at any time after 40. daies next after the end of this Session of Parliament (being 10. Aprilis, Anno Domin. 1593.) by printing, writing, or expresse words or speeches, aduisedly, and purposely practise, or goe about to moue or perswade any of her Maiesties Subjects, or any other within her Highnesse Realmes, or Dominions, to denie, or withstand, and impugne her Maiesties power and authoritie, in cases Ecclesiasticall, vniuersall and annexed to the imperiall Crowne of this Realme, or to that end or purpose, shall aduisedly and maliciously moue or perswade any other person whatsoever, to forbear or abstaine from comming to Church to heare diuine Service, or to receive the Communion, according to her Maiesties Lawes and Statutes aforesaid, or to come to, or to be present at any unlawfull assemblies, conuenticles, or meetings, vnder colour or pretence of any exercise of Religion, contrarie to her Maiesties sayde Lawes and Statutes: or if any person or persons which shall obstinately refuse to repaire to some Church, Chappell, or usuall place of Common Prayer, and shall forbear by the space of a moneth to heare diuine Service, as is aforesaid, shall after the said forty daies, either of him, or themselves, or by any motion, perswasion, inticement, or allurement of any other, willingly ioine in, or be present at any such assemblies, conuenticles, or meetings, vnder colour or pretence of any such exercise of religion, contrarie to the Lawes and Statutes of this Realme, as is aforesaid: When euery such person so offending, as aforesaid, and being therof lawfully convicted, shall bee committed to prison, there to remaine, without baile or mainprie, until they shall conserne and yield themselves to come to some church, Chappell, or usuall place of Common Prayer, and heare diuine Service, according

A Recusant persuading other to impugn the Ecclesiasticall lawes.

Recusants.

to her maiesties Lawes and Statutes aforesaid, & to make such open submission and declaration of their said conformance, as hereafter in this Act is declared and appointed. 35. Eli. 1.

In offendor
not conforming
himselfe, shall
abjure the
Realme.

Abjure the
Realme.

Refusing to
abjure, not de-
parting or re-
turning with-
out licence.

S. Felonie 5.

Open submis-
sion.

The forme of
the submission

19 If any such person or persons, which shall offend against this Act, as aforesaid, shall not within three moneths next after they shall be convicted for their said offence, conformie themselves to the obedience of the Lawes and Statutes of this Realme, in coming to the Church to heare Divine Service, and in making such publicke confession and submission, as hereafter in this Act is appointed and expessed, being thereunto required by the Bishop of the Diocese, or any Justice of the Peace in the Countie where the same person shall happen to bee, or by the Minister or Curate of the Parish: In euerie such case, euerie such offendor being thereunto warned or required by any Justice of the Peace of the same Countie, where such offendors shall then bee, shall vpon his or their corporall oath, before the Justices of the Peace in the open Quarter Sessions of the same Countie, or at the Assises and Gaole Deliuerie, of the same Countie, before the Justices of the same Assises and Gaole Deliuerie, Abiure this Realme of England, and all other the Queenes Maiesties Dominions for ever, vntill he or she shall licence the partie to returne, And thereupon shall depart out of this Realme, at such Haven or Port, and within such time, as shall in that behalfe be assigned and appointed by the said Justices, before whom such Abiuration shall bee made, vntill the same offendor bee letted or stayed by such lawfull and reasonable meanes or causes, as by the common Lawes of this Realme are permitted and allowed in cases of Abiuration for Felonie. And in such cases of let or stay, then within such reasonable and convenient time after, as the Common Law requireth, in case of Abiuration for Felonie, as is aforesaid. And the Justices of peace, before whom any such Abiuration shall happen to bee made, as is aforesaid, shall cause the same presently to be entred of Record before them, and shall certifie the same to the Justices of Assises and Gaole Deliuerie of the said Countie at the next Assises or Gaole Deliuerie to bee holden in the same Countie: And if any such offendor, which by the tenour and intent of this Act is to be Abiured, as is aforesaid, shall refuse to make such Abiuration, as is aforesaid, or after such Abiuration made, shall not goe to such Haven, and within such time, as is before appointed, and from thence depart out of this Realme, according to this present Act, or after such his departure, shall returne, or come againe into any her Maiesties Realmes or Dominions, without her Maiesties speciall Licence in that behalfe first had and obtained: Then in euerie such case the person so offending, shall be adiudged a Felon, and suffer as in case of Felonie, without benefit of Clergie. 35. Elizabeth. 1.

20 If any person or persons, that shall at any time hereafter offend against this Act, shall before he or they be so warned, or required to make Abiuration, according to the tenor of this Act, repaire to some Parish Church on some Sunday, or other Festiuall day, and then and there heare diuine Service, and at Service time before the Sermon, or reading of the Gospell, make publicke and open submission and declaration of his and their conformance to her Maiesties Lawes and Statutes, as hereafter in this Act is declared and appointed: When the the same offendor shall thereupon be cleerely discharged, of, and from all and euery the penalties and punishments, inflicted, or imposed by this Act, for any of the offences aforesaid. The same Submission to be made as hereafter followeth: that is to say, I. A. B. doe humbly confesse, and acknowledge that I haue grieuouly offended God, in contemning her Maiesties godly and lawfull gouernment and authoritie, by absenting my selfe from Church, and from hearing diuine Service, contrary, to the godly Lawes and Statutes of this Realme, and in vsing & frequenting disor-

alsofdered and unlawfull conventicles and assemblies under pzeſence and colour of exerciſe of Religion: And I am hartily ſozrie ſoꝝ the ſame, and doe acknowledge and teſſifie in my conſcience, that none other perſon hath, oꝝ ought to have any power oꝝ authoriſty over her Maieſtie: And I doe promiſe and proteſt, without any diſſimulation, oꝝ any colour oꝝ meanes of any diſpenſation, that from henceforth I will from time to time obey and perſoꝛme her Maieſties Lawes and Statutes, in repairing to the Church, and hearing Divine Service, and to mine uttermoſt indeavour to maintaine and defend the ſame. And euerie Miniſter oꝝ Curate of euery Pariſh where ſuch ſubmiſſion and declaration of conſoꝛmiſſe ſhall hereafter be ſo made, by any ſuch offendōꝝ as is aforeſaid, ſhall preſently enter the ſame into a Booke, to be kept in euery Pariſh ſoꝝ that purpoſe: And within tenne daies next following, ſhall certiſſie the ſame in wꝛiting to the Biſhop of the dioces.

The ſubmiſſion entered into a Booke.

35.El. 1.

21. Pꝛouided neuertheleſſe, that if any ſuch offendōꝝ, after ſuch ſubmiſſion made, as is aforeſaid, ſhall afterwarde fall into relapſe, oꝝ eftſoones obſtinately reſuſe to repaire to ſome Church, Chappell, oꝝ ſuall place of Common Pꝛayer, to heare Divine Service, and ſhall ſoꝛbeare the ſame, as is aforeſaid, oꝝ ſhall come oꝝ bee preſent at any ſuch aſſemblies, conventicles, oꝝ meetings, vnder colour oꝝ perſeuerance of any exerciſe of Religion contrarie to her Maieſties Lawes & Statutes: Then euerie ſuch offendōꝝ ſhall loſe all ſuch benefit, as he oꝝ ſhe might otherwiſe by vertue of this Act haue oꝝ enioy, by reaſon of their ſaid ſubmiſſion, and ſhall thereupon ſtand and remaine in ſuch plight, condition, and degree, to all intents as though ſuch ſubmiſſion had neuer bene made.

The offendōꝝ in relapſe.

22. All and euery the paines, duties, ſoꝛfeitures, and payments, which at any time hereafter ſhall accrue, grow, oꝝ be payable by vertue of this Act, oꝝ of the ſtatute made Anno 23. Eliz. concerning Recuſants, ſhall and may bee recovered and leuied to her Maieſties uſe by Action of debt, Bill, Plaint, Information, oꝝ otherwiſe, in any ſo the Courts commonly called the B. Bench, Common ples, oꝝ Exchequer, in ſuch ſoꝛt, and in all reſpects, as by the ordinariſ courſe of the Common Lawes of this Realme, any other debt due by any ſuch perſon, in any other caſe ſhould oꝝ may be recovered, oꝝ lenied, wherein no C. B. oꝝ W. ſhall be admitted oꝝ allowed

How, & where the ſoꝛfeitures ſhalbe recovered.

23. Pꝛouided alwaies, that the third part of the penalties to be had oꝝ received by vertue of this Act, ſhall be imployed and beſtowed to ſuch good and charitable uſes, and in ſuch manner and ſoꝛme as is limited and appointed in the ſtatute made An.

The third part of the penalties imployed.

28.El. touching Recuſants 35.El. 1. S. 15.

24. Pꝛouided, that no Popiſh Recuſant, oꝝ Feme couert, ſhall be compelled oꝝ bound to abiure, by vertue of this Act.

Popiſh Recuſant, feme couert.

25. Pꝛouided alſo, that euerie perſon that ſhall abiure by ſoꝛce of this Act, oꝝ reſuſe to abiure, being thereunto required, as aforeſaid, ſhall ſoꝛfeſt and loſe to her Maieſtie all his goods and chattels ſoꝝ euer: And ſhall further loſe all his Lands, Tenements, and Hereditaments, ſoꝝ, and during the liſe onely of ſuch offendōꝝ, and no longer. And the wiſe of any offendōꝝ by ſoꝛce of this Act, ſhall not loſe her dower: ſoꝝ any corruption of blood ſhall grow, oꝝ bee by reaſon of any offence mentioned in this Act: But that the heire of euery ſuch offendōꝝ by ſoꝛce of this Act, ſhall and may after the death of euerie offendōꝝ haue and enioy the lands, tenements, and hereditaments of ſuch offendōꝝ, as if this Act had not bene made

The ſoꝛfeiture of him which abiureth, oꝝ reſuſeth to abiure.

35.El. 1. 1.Iac. 25. This Act ſhall continue untill the end of the firſt ſeſſion of the next Parliament.

26. Euerie perſon above the age of ſirteene yerſes, boꝛne within any the Quēns Maieſties Dominions, oꝝ made Denizen, being a Popiſh Recuſant, and befoꝛe the end of this ſeſſion of Parliament conuicted ſoꝝ not repairing to ſome Church, Chappell,

Recusants.

A convicted Popish Recusant must repaire to his house, and not remove above five miles.

Chappell, or vsuall place of Common Prayer, to heare Divine Service there, but forbearing the same contrary to the tenor of the Lawes and Statutes heretofore made and provided in that behalfe, and having any certaine place of dwelling and abode within this Realme, shall within fortie dayes next after the end of this Session of Parliament, being 10. Aprilis, Anno Dom. 1593. (if they be within this Realme, and not restrained or staied, eptber by imprisonment, or by her Maiesties commaundement, or by any order and direction of some five or more of the Prinke Councell, or by such sicknesse or infirmitie of bodie, as they shall not be able to trauell without imminent danger of life, & in such cases of absence out of the Realme, restraint, or stay, then within xx. daies next after they shall returne into the Realme, and be enlarged of such imprisonment, or restraint, and shall be able to trauell) repaire to their place of dwelling, where they vsually heretofore made their common abode, and shall not at any time after passe or remove above five miles from thence, 35. Eliz. 2.

Recusants which shall be hereafter convicted.

27. Everie person being above the age of xvi. yeares, bozne within any her Maiesties Realmes or Dominions, or made Denizen, and having, or which hereafter shall have any certaine place of dwelling and abode within this Realme, which being then a Popish Recusant, shall at any time hereafter be lawfully convicted for not repaireing to some Church, Chappell, or vsuall place of Common Prayer, to heare divine Service there, but forbearing the same contrarie to the said Lawes and Statutes, and being within this Realme at the time that they shall be convicted, shall within xl. daies next after the same conviction (if they be not restrained or staied by imprisonment, or otherwise, as is aforesaid, and in such cases of restraint and stay, then within xx. daies next after they shall be enlarged of such imprisonment, or restraint, and shall be able to trauell) repaire to their place of vsuall dwelling and abode, and shall not at any time after passe or remove above v. miles from thence, vpon pain, that every person and persons that shall offend against the tenor and intent of this Act, in any thing befoze mentioned, shall lose and forfeit all his and their goods and chattels, and shall also forfeit to the Queenes Maiestie all the lands, tenements, and hereditaments, and all the rents and annuities of everie such person so doing or offending, during the life of the same offender. 35. Elizab. 2. Confir. 3. Jac. 5.

A Recusant not having any certaine place of abode.

28. Everie person above the age of xvi. yeares, bozne within any her Maiesties Dominions, not having any certaine place of dwelling and abode within this Realme, and being a Popish Recusant not vsually repaireing to some Church, Chappell, or vsuall place of Common Prayer, but forbearing the same contrarie to the same Lawes and Statutes in that behalfe made, shall within fortie dayes next after the end of this Session of Parliament (if they be then within this realm, and not imprisoned restrained or staied, as is aforesaid, and in such case of absence out of the Realme, Imprisonment, Restraint, or Stay, then within twentie dayes next after they shall returne into the Realme, and be enlarged of such Imprisonment or Restraint, and shall be able to trauell) repaire to the place where such person was bozne, or where the father or mother of such person shall then be dwelling, and shall not at any time after remove or passe above five miles from thence, vpon paine that everie person and persons which shall offend against the tenor and intent of this Act, in anie thing befoze mentioned, shall lose and forfeit all his and their goods and chattels, and shall also forfeit to the Queenes Maiestie all the Lands, Tenements, and Hereditaments, and all the Rents and Annuities of everie such person so doing or offending, during the life of the same person. 35. Eliz. 2.

29. Everie such offender, as is befoze mentioned, which hath or shall have any lands, tenements, or hereditaments, by Copie of Court roll, or by any other custome

marie tenure, at the will of the Lord, according to the custome of any Manor, shall forfeit all and singular his and their said lands, tenements, and hereditaments, so holden by the copie of Court Roll, or customarie tenure, as aforesaid, for and during the life of such offendour (if his or her estate so long continue) to the Lord or Lords of whom the same bin immediately holden, if the same Lord or Lords be not then a Popish Recusant, and convicted for not comming to Church to heare Divine Service, but for bearing the same contrarie to the Lawes and Statutes aforesaid, nor seised or possessed upon trust to the use or behoofe of any such Recusant as aforesaid: And in such case the same forfeiture to be to the Queenes Maiestie.

35. Eliz. 2.

30 All such persons, as by the intent and true meaning of this Act, are to make their repairs to their place of dwelling and abode, or to the place where they were borne, or where their father or mother shall be dwelling, and not to remoue or passe above five miles from thence, as is aforesaid, shall within xx. daies next after their comming to any of the said places (as the case shall happen) notifie their comming thither, and present themselves, and deliuer their true names in writing to the Minister or Curate of the same Parish, and to the Constable, Headborough, or Tythingman of the Towne, and thereupon the said Minister or Curate, shall presently enter the same into a Booke to be kept in euery parish for that purpose. And afterward the said Minister or Curate, and the said Constable, Headborough, or Tythingman, shall certifie the same in writing to the Iustices of the peace of the same Countie, at the next generall quarter Sessions to be holden in the same countie. And the said Iust. shall cause the same to be entred by the Clerke of the peace, in the rolles of the same Sessions. 35. El. 2.

The offendour shall notifie his comming to his place of abode.

31 If any person or persons being a Popish Recusant, not being a feme covert, and not hauing lands, tenements, rents, or annuities of an absolute estate of inheritance, or freehold, of the cleere yeerely value of twentie Markes, above all charges, to their owne use and behoofe, and not upon any secret trust or confidence for any other, or goods and chattels in their owne right, and to their owne proper use and behoofe, and not upon any such secret trust or confidence for any other, above the value of forty pounds, shall not within the time before in this Act in that behalfe limited and appointed, repaire to their place of usuall dwelling and abode (if they haue any) or else to the place where they were borne, or where their father or mother shall be dwelling, according to the tenor and intent of this present Act, and thereupon notifie their comming, and deliuer their true names in writing to the Minister or Curate of the Parish, and to the Constable, Headborough, or Tythingman of the Towne, within such time, and in such manner and forme as is aforesaid, or at any time after such their repairing to any such place as is before appointed, shall passe or remoue above five miles from the same: and shall not within thre monethes next after such person shall bee apprehended or taken for offending as is aforesaid, conforme themselves to the obedience of the Lawes and Statutes of this Realme, in comming usually to the Church to heare Divine Service, and in making such publike Confession and Submission as hereafter in this Act is appointed and expessed, being thereunto required by the Bishoppe of the Dioces, or any Iustice of the Peace, of the Countie where the same person shall happen to bee, or by the Minister or Curate of the Parish: In euery such case, euere such offendour, being thereunto warned or required by any two Iustices of the Peace, or Coroner of the same Countie where such offendour shall then be, shall upon his and their corporall othe before any two Iustices of the peace or Coroner of the same Countie, Abiure this Realme of England, and all other the Queenes Maiesties Dominions for ever, and thereupon shall depart out of this Realme at such Haven and Port, and within such time, as shall in that behalfe

A Recusant of small ability not repairing to the place appointed or thence departing.

Recusants.

Abiuration.

Refusing to
abjure, depart-
ing or return-
ing without
licence.

S. Felonie 5.

Proces.

Commande-
ment.

A restrained
person bound
may yeeld his
body to the
Shiriffe.

The forme of
the Submiss-
ion.

halfe be assigned and appointed by the said Justice of Peace, or Cozoner before whom such Abiuration shall be made, vnlesse the same offendors be letted or staied by such lawfull and reasonable meanes or causes, as by the Common Lawes of this Realme are permitted and allowed in cases of Abiuration for felony, and in such cases of let or stay, then within such reasonable and convenient time after, as the Common Law requireth in case of Abiuration for felonie, as is aforesaid. And euerie Justice of Peace, and Cozoner, before whom any such Abiuration shall happen to be made, as is aforesaid, shall cause the same presently to bee entred of Record before them, and shall certifie the same before the Justices of Assises and Gaole deliuerie of the said Countie, at the next Assises or Gaole deliuerie, to bee holden in the same Countie: And if any such offender, which by the tenor and intent of this Act, is to be abjured, as is aforesaid, shall refuse to make such Abiuration, as is aforesaid, or after such Abiuration made, shall not goe to such haue, and within such time as is before appointed, and from thence depart out of this realm, according to this present Act, or after such his departure, shall returne or come againe into any her Maiesties Realmes and Dominions, without her Maiesties speciall Licence in that behalfe first had and obtained: Then in euery such case the person so offending, shall be adiudged a Felon, and shall suffer and lose as in case of Felonie, without benefit of Clergie. 35. El. 2.

32 Provided, That if any such person so constrained as is aforesaid, shall be byged by Proces without fraude or couine, or be bounden without fraud or couine to make apparance in any her Maiesties Courts, or shall be sent for, commanded, or required by any three or more of her Maiesties Prine Councel or by foure or more of any Commissioners to be in that behalfe nominated and assigned by her Maiestie to make apparance before her Maiesties said Councell, or Commissioners, that in euery such case, euerie such person so bounden, byged, commanded, or required, to make such apparance, shall not incurre any paine, forfeiture, or losse, for travelling to make apparance accordingly, nor for his abode concerning the same, nor for convenient time for his returne backe againe vpon the same. 35. Eliz. 2. S.Br. 62.

33 If any such person or persons so restrained as is aforesaid, shall be bound, or ought to yeeld and render their bodies to the Shirifes of the Countie where they shall happen to be, vpon proclamation in that behalfe without fraud or couine to be made: Then in euery such case, euery person which shall be so bounden, or ought to yeeld & render their body, as aforesaid, shall not incurre any paine, forfeiture, or losse, for travelling for that intent & purpose only without fraud or couin, nor for convenient time taken for their returne backe againe vpon the same. 35. El. 2.

34 If any person or persons, that shall at any time hereafter offend against this Act, shall before he or they shall be thereof convicted, come to some Parish Church on some Sunday, or other Festiual day, and then and there heare Diuine Service, and at Service time before the Sermon, or reading of the Gospell, make publike and open Submission and Declaration of his and their consozmitie to her Maiesties Lawes and Statutes, as hereafter in this Act is declared & appointed: Then the same offender shall thereupon be cleerly discharged, of, and from all and euerie paines and forfeitures inflicted or imposed by this Act, for any of the said offences in this Act, contained: The same Submission to be made as hereafter followeth: That is to say I A.B. do humbly confesse & acknowledge, that I haue grievously offended God, in contemning her Maiesties godly and lawfull gouernment and authoritie, by absenting my selfe from Church, and from hearing, Diuine Service, contrarie to the godly Lawes and Statutes of this Realme. And I am hartily forie for the same, and do acknowledge and testifie in my conscience, that the Bishop or See of Rome, hath not, nor ought to haue any power or authoritie ouer her

her Maestie, or within any her Maesties Realmes, and Dominions: And I doe promise and protest, without any dissimulation, or any colour or meanes of any dispensation, that from henceforth I will from time to time, obey and performe her Maesties Lawes and Statutes, in repairing to the Church, and hearing Divine Service, and doe mine uttermost endeavour to maintaine and defend the same. And euerie Minister or Curat of euerie parish where such Submission and declaration of conformance shall hereafter be so made, by any such offendor, as aforesaid, shall presently enter the same into a Booke, to be kept in euery parish for that purpose, and within ten daies then next following, shall certifie the same in writing to the Bishop of the same Dioces. 35. Eliz. 2.

The Submission entered into a Booke.

36. Provided neuertheless, that if any such Offendor after such Submission made as aforesaid, shall afterwarde fall into Relapse, or estoones become a Recusant in not repairing to the Church to heare Divine Service, but shall so heare the same, contrarie to the Lawes and Statutes in that behalfe made and provided: That then euerie such Offendor shall loose all such benefit, as hee or shee might otherwise by vertue of this Act, haue or enjoy by reason of their said Submission, and shall thereupon stand and remaine in such Wight, Condition, and Degree, to all intents, as though such Submission had neuer bene made. 35. Eliz. 2.

The offendor falling into Relapse.

36. All and euerie woman married, or hereafter to be married, shall be bound by all and euery article, branch, and matter contained in this Statute, other then the branch and article of Abiuration befoze mentioned. And no such woman married, or to be married, during marriage, shall be in any wise forced or compelled to Abiure, or to be abjured by vertue of this Act: Any thing therein contained to the contrarie notwithstanding. 35. Eliz. 2.

Married women bound.

37. If any that is or shall be a Recusant, shall submit, or reforme him, or her selfe, and become obedient to the Lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the time of Divine Service, and Sacraments, according to the true meaning of the Statutes in that behalfe, in the late Queenes time made and provided, Then euery such person, for and during such time, as he or she shall so continue in such conformance and obedience, shall from thenceforth be freed and discharged, of, and from any the penalties & losses which the same person might otherwise sustaine, and beare, in respect or by reason of such persons Recusancie. 1. Iac. 2.

A Recusant conforming himselfe to the Law.

38. If any Recusant shall hereafter die, his Heire being no recusant, in euery such case, euery such Heire shall be freed and discharged of al and singular the penalties, charges, and incumbances, hapning vpon him, or her, in respect, or by reason of his or her auncestors Recusancie. And if at the decease of any such Recusant, his Heire shall happen to be a Recusant, and after shall become conformable and obedient to the Lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the time of the Divine Service and Sacraments, according to the intent and true meaning of the said Statutes and ordinances, in that behalfe made, as is aforesaid, And also shall take the Othe of Supremacie, in such sort, as that Othe is expressed in one Act of Parliament made An. 1. Eliz. befoze the Archbishop, or Bishop of the Diocesse: In euery such case, euery such Heire shall be freed and discharged, of all and singular the penalties, charges, and incumbances, hapning vpon him, or her, in respect, or by reason of any of his, or her auncestors Recusancie. Provided alwaies, That if the Heire of any such Recusant, shall happen to be within age of xvi. yeares, at the time of the decease of his, or her Auncestor, and shall after his or her said age of sixteene yeres, become, or be a Recusant, in euery such case any such heire shall not be freed, or discharged, of all or any the penalties, charges, & incumbances, hapning vpon him,

In what cases a Recusants heire shall be charged, & in what not.

Recusants.

him, or her, in respect, or by reason of any his or her Ancestors Recusancie, until he or she shall submit or reforme him, or herselfe, and become obdient to the lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the the time of divine Service, and Sacraments, according to the intent of the said Statutes and Ordinances in that behalfe, as is aforesaid, and shall take the said othe of supremacie, in manner and forme aforesayd: And yet neverthelesse, from and after such submission and othe had and taken, everie such Person shall be freed and discharged, of all and singular the penalties, charges and incumbrances, hapning upon him, or her, in respect, or by reason of any his or her Ancestors Recusancie. 1. Jac. 4.

A third part of his tithing shall remaine cleare to a Recusant.

39 Where any seisure shall be had of the two parts of any lands, tenements, hereditaments, leases, or farmes, for the not payment of the xx. s. due and payable for each Moneth, according to the Statute in that case lately made and provided: In euerie such case, euerie such two parts shall according to the extent thereof, goe toward the satisfaction and payment of the xx. s. due and payable for each Moneth, and unpaid by any such Recusant. And the third part thereof shall not be extorted, or seized, by the King, his heires or successors, for not payment of the said xx. s. payable for each Moneth so seized or lost by any such Recusant. And where any such seisure shall be had of the two parts of the lands, tenements, hereditaments, leases, or farmes, of any such Recusant, as is aforesaid, and such Recusant shall die (the debt or dutie by reason of his Recusancie not paid, satisfied or discharged) in euerie such case, the same two parts shall continue in his Heires possession, until the residue or remainder of the same debt or dutie be thereby, or otherwise, paid, satisfied, or discharged. And his Heire, his heires or successors, shall not seize, nor extend any third part descending, to any such heires, or any part thereof either by reason of the Recusancie of his or her Ancestors, or the Recusancie of any such heire. 1. Jac. 4.

A conformed Recusant shall receive the Sacrament.

40 Euerie Popish Recusant convicted, or hereafter to be convicted, which hereuntofoze hath conformed him, or her selfe, or which shall hereafter conforme him, or her selfe, and repaire to the Church, and continue there during the time of divine Service, according to the Lawes and Statutes in that behalfe made and provided, shall within the first yeare next after the end of this Session of Parliament, (if he or shee be conformed, as aforesaid, before the end of this Session of Parliament) or within the first yeare next after that he or shee shall after this Session of Parliament, so conforme him, or her selfe, and repaire to Church, as aforesaid, and after the said first yeare, shall once in euerie yeare following at the least, receive the blessed Sacrament of the Lords Supper, in the Church of that Parish where he or she shall most usually abide, or be, within the said yeare, wherein by the true meaning of this Statute, he or she ought so to receive. And if there be no such parish Church, then in the Church next adioyning to the place of his or her such most usual abode. And if any Recusant so conformed, shall not receive the said Sacrament of the Lords Supper accordingly, he or she shall for such not receiving, loose and forfeit for the first yeare xx. s. & for the second yeare for such not receiving, xl. s. & for euery yeare after for such not receiving, l. s. until he or she shall haue received the said Sacrament, as is aforesaid. And if after he or she shall haue received the said Sacrament, as is aforesaid, and after shall effsoones at any time offend in not receiving the said Sacrament as is aforesaid, by the space of one whole yeare: in euerie such case, such person so offending, shall for euerie such offence loose and forfeit threescore pounds to the K. and J. to be recovered in any the Kings Courts of Record at Westminster, or before Iudges of Office, or general Gaole deliuerie, or before Iudges of the P. at their generall Quarter Sessions, by A. B. P. J. &c. wherein no W. C. P. &c. 3. Jac. 4.

4. The Churchwardens and Constables of every Towne, Parish, or Chappell for the time being, or some one of them, or if there be none such, then the chiefe Constables of the Hundred where such Towne, Parish, or Chappell, is, or shall be, or one of them, as well in places exempt, as not exempt, shall once in euery yeare present the Monethly absence from Church, of all, and all manner Popish Recusants, within such Townes and Parishes, and shall present the names of euery of the children of the said Recusants, being of the age of nine yeares and upwards, abiding with their said parents, and as neere as they can, the age of euery of the said children, as also the names of the seruants of such Recusants, at the generall or quarter Sessions of that Shire, Limit, Division, or Libertie. All such presentments, shall be accepted, entred, and recorded in the said Sessions, by the Clerke of the peace, or Towne-clerke for the time being, or his Deputie, without any fee to be had, asked, or taken for the same. And in default of such presentment to be made, the said Churchwardens, Constables, or High Constables, respectively, shall for euery such default forfeit xx. shillings. And in default of such accepting, entring, and recording without fee, as aforesaid, the said Clerke of the peace, or Towne-clerke, shall for euery such offence forfeit forty shillings. And vpon euery presentment of such Monethly absence, as aforesaid, whereupon such partie so presented, shall after happen to be indicted and conuicted (not being for the same absence before presented) Then the said Churchwardens, Constables, or High Constables, respectively, so making such presentments, shall haue a reward of forty shillings, to be leuied out of the Recusants goods and estate, in such manner and forme, as by the moze part of the Iustices shal be by warrant vnder their hands and seales, then and there ordered and appointed. 3. Iac. 4.

Recusants presented.

The presentments entred.

The Presentment reward.

4. The Iustices of Assise and Gaole deliuerie at their Assises, and the said Iustices of peace at any their said Sessions, shal haue authoritie by vertue of this Act, to enquire, heare, and determine of all Recusants, and offences, as well for not receiving the Sacrament aforesaid, according to the true meaning of this Law, as for not repaying to Church, according to the meaning of former Lawes, in such manner and forme, as the said Iustices of Assise, and Gaole deliuerie doe, or may now do by former Lawes in the case of Recusancie; for not repaying to Church, & also shall haue power at their said Assises, and Gaole deliuerie, and at the Sessions (in which any Indictment against any person, either for not repairing to Church according to former Lawes, or not receiving the said Sacrament according to this Law, shall be taken) to make Proclamation, by which it shal be commaunded, that the body of euery such offender shall be rendred to the Shire, of the same County, or Bailife, or other keeper of the Gaole of the Libertie, before the next Assises, and general Gaole deliuerie, or before the next general or quarter Sessions, respectively to be holden for the said Shire, Limit, Division, or Libertie. And if at the said next Assises and general Gaole deliuerie, or Sessions, the same offender so proclaimed, shall not make apparance of Record: Then vpon euery such default recorded, the same shall be as sufficient a conuiction in law of the said offence, whereof the partie shall stand indicted, as aforesaid, as if vpon the same Indictment a triall by verdict thereupon had proceeded, and bin found against him or her, and Records. 3. Iac. 4. S. Iust of Peace 10.

The Iustices shall inquire of offenders.

Proclamation.

S. B. 13.

4. Euery offender in not repairing to Diuine Seruice, but forbearing the same, contrarie to the Statutes in that behalfe made and prouided, that hereafter shall fortune to be thereof once conuicted, shall in such of the Termes of Easter and Michaelmas, as shall be next after such conuiction, pay into the Receipt of the Exchequer after the rate of twentie pounds for euery Moneth, which shall be contained in the indictment whereupon such conuiction shall be, and shall also for euery Moneth after such conuiction, without any other Indictment or Conuiction, forfeit

The penaltie of a conuicted Recusant.

Recusants.

Conviction
certified into
the Exche-
quer.

S.B.9.

S.B.11.

The R may
take two
parts of Re-
cusants lands

A Recusants
Mansion
house.

feit twenty pounds, and pay into the Receipt of the Exchequer aforesaid, at two times in the yeare, That is to say, in every Easter and Michaelmas Terme, as much as then shall remaine vnpaid after the rate of xx. pounds for every Moneth after such conviction, except in such cases, where the King shall and may by force of this Act refuse the same, and take two parts of the lands, tenements, hereditaments, leases, and farmes, of such offendour, till the said partie being indicted for not comming to Church, contrarie to former Lawes, shall consoyme himselfe, and come to Church, according to the meaning of the Statute in that behalfe made and provided. And every Conviction recorded for any offence before mentioned, shall from the Justices before whom the Record of such Conviction shall be remaining, be certified into the Kings Maiesties Court of Exchequer, before the end of the Terme following such Conviction, in such convenient certaintie for the time, and other circumstances, as the Court of Exchequer may thereupon award out Proceesse for the seizure of the lands and goods of every such offendour, as the cause shall require. And if default shall be made in any part of any payment aforesaid, contrarie to the forme herein before limited, then and so often, the R. Maiestie, his heires and successours, shall and may by Procees out of the said Exchequer, take, seise, and enioy, all the goods, and two parts aswell of all the lands, tenements, and hereditaments, leases, and farmes of such offendour, as of all other the lands, tenements, & hereditaments, lyable to such seizure, or to the penalties aforesaid, by the true meaning of this Act, leauing the third part only of the same lands, tenements, and hereditaments, leases, and farmes, to and for the maintenance and reliefe of the same offendour, his wife, childzen, and familie. 3. Jac. 4.

44 The Kings Maiestie, his Heires and Successours, shall from and after the Feast of Saint Michaell the Archangell, next coming after the end of this Session of Parliament, haue full power and libertie to refuse the penaltie of twentie pounds a Moneth, though it be tendered readie to be paid according to the Law, and thereupon to seise, and take to his owne vse, & the bles, intents, and purposes, hereafter limited, two parts in thre to be diuided, aswell of all the lands, tenements, and hereditaments, leases, and farmes, that at the time of such seizure shall be, or afterward shall come to any the said offendours in not comming to Church, or any other to his, or her vse, or in trust for him, or her, or at his, or her disposition, or whereby, or wherewith, or in consideration whereof such offendour, or his familie, or any of them, shall be relieved, maintained, or kept, as of all other lands, tenements, and hereditaments, in any wise, or at any time lyable to such seizure, or to the penalties aforesaid, and the same to retaine to his owne, and other bles, intents, and purposes, hereafter in this Act appointed, till every such offendour shall consoyme him, or her selfe, respectively as aforesaid, in Lieu and full recompence of the xx. pounds Monethly, that during his such seizure and reteiner shall incurre: Any thing in the former Statutes, or in any of them, or any other statute to the contrarie in any wise notwithstanding. Sauing to our Soueraigne Lord the Kings Maiestie, his Heires and Successours, and all and every person and persons, bodies politike and corporat, their Heires and Successours, other then the said offendour, his or their heires, & all claiming to his or their vse, or in trust for him or them, or at his or their will or disposition, all and all maner Leases, Rents, Conditions, and other Rights and Titles whatsoever, had, made, and done (bona fide) and without fraud and couine before such seizure. Provided alwaies, That the Kings Maiestie, his heires and successours, shall not take into his two parts, but leaue to such offendour his chiefe mansion house, as part of his third part, and shall not demise, lease, nor put ouer the said two parts, nor any part thereof, to any Recusant, nor to, or for the vse of any Recusant. And that whosoever shall take the same in lease, or otherwise of his Maiestie, his heires and successours, shall

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give such securitie, not to commit nor suffer waite to be committed, in, or vpon any the said pzemises, as by the Court of Erchequer shall be allowed sufficient. 3. Jac.

4. S. Br. 1. 11.

45 It shall be lawfull, to and for any Bishop in his Dioces, or any two Justices of the P. whereof one to be of the Quorum, within the limits of their iurisdiction, out of the Sessions, to require any person of the age of xviij. yeares, or above, being, or which shall be convict or indicted, of, or for any Recusancie (other then Noble men, or Noble women, for not repairing to diuine seruice, according to the Lawes of this Realme, or which shall not haue receiued the said Sacrament twice within the yeare then next past (Noblemen, and Noble women excepted) or any person passing in or through the Countie, Shire, or Libertie, and vnknotane (except as is last before excepted) that being examined vpon oath, shall confesse, or not deny himselfe, or her selfe to be a Recusant, or shall confesse, or not deny, that he or she had not receiued the said Sacrament twice within the yeare then last past, to take the oath hereafter following vpon the holy Euangelist: which said Bishop, or two Justices of the peace shall certifie in wryting, subscribed with his or their hands, at the next generall or quarter Sessions for that Shire, Limit, Diuision, or Libertie, within which the said oath shall be so taken, the Chrysten name,Surname, and place of abode, of every person which shall so take the said oath, which certifiat shall be there recordeed by the Clerke of the Peace, or Towne Clerke, and kept amongst the Records of the said Sessions. If any such person or persons (other then Noble men, and Noble women) shall refuse to answer vpon oath to such Bishop or Justices of peace examining him or her, as aforesaid, or to take the said Oath so duely tendered vnto him or her, by such Bishop, or two such Just. of P. out of Sessions, Then the said Bishop, or Justices of peace, shall and may commit the same person to the common Gaole, there to remaine without baile or mainprise, vntill the next Assises, or generall or quarter Sessions to be holden for the said Shire, Diuision, Limit, or Libertie, where the said oath shall be againe in the said open Assises or Sessions required of such person, by the said Justices of Assises, or Justices of Peace then and there present, or the greater number of them. And if the said person or persons, or any other person whatsoever (other then Noble men, or Noblewomen) of the age of xviij. yeares, or above, shall refuse to take the said Oath being tendered vnto him or her by the Justices of Assise and Gaole deliuerie in their open Assises, or the Justices of Peace, or the greater part of them, in their said generall or quarter Session, every person so refusing shall incurre the danger and penaltie of Pzmunire, mentioned in the Statute of Pzmunire, made in the 16. yeare of the raigne of King Richard the second, except women couert, who vpon refusall of the said oath, shall be by the said Just. of Assise in their open Assise, or Justices of peace in their generall or quarter Sessions, for the said offence, committed onely to the Common Gaole, there to remaine without Baile or Mainprise, till they will take the said oath. The tenor of which said oath hereafter followeth. 3. Jac. 4.

who may tender the Oath, and to whom.

S. Crowne &c. 12.

The penaltie for refusing the Oath.

46 I A.B. doe truly and sincerely acknowledge, professe, testifie, and declare in my conscience before God and the world, That our Soueraigne Lord King James, is lawfull and rightfull King of this Realme, and of all other his Majesties Dominions and Countries; And that the Pope, neither of himselfe, nor by any Authoritie of the Church, or Sea of Rome, or by any other meanes with any other, hath any power or authoritie, to depose the King, or to dispose any of his Majesties Kingdomes or Dominions, or to authorize any forraigne Prince to invade or annoy him, or his Countries, or to discharge any of his Subjects of their Allegiance and obedience to his Majestie, or to giue licence or leaue to any of them to beare Armes, raise tumult, or to offer any violence or hurt to his Majesties Royall

The forme of the Oath.

R r r ij

person,

Recusants.

person, State, Gouvernement, or to any of his Majesties Subjects, within his Majesties Dominions. Also, I doe swear from my heart, that notwithstanding any Declaration, or sentence of Excommunication, or Deprivation made or graunted, or to bee made or graunted by the Pope, or his Successors, or by any authoritie deriued, or pretended to be deriued from him, or his Sea, against the said King, his Heires, or Successors, or any Absolution of the said Subjects from their obedience: I will beare faith, and true allegiance to his Majestie, his Heires and Successors, and him and them will defend to the uttermost of my power, against all Conspiracies and attempts whatsoever, which shall be made against his or their persons, their Crowne and dignitie by reason or colour of any such sentence or declaration, or otherwise, and will doe my best endeavour to disclose and make knowne vnto his Majestie, his Heires and Successors, all Treasons and Trayterous Conspiracies, which I shall know or heare of to bee against him or any of them. And I doe further swear, that I doe from my heart abhorre, detest, and abiure, as impious and hereticall, this damnable Doctrine and Position, that Princes which bee Excommunicated, or deprived of the Pope, may be deposed or murthred by their Subjects, or any other whatsoever. And I doe beleue and in conscience am resolved, That neither the Pope, nor any person whatsoever, hath power to absolue mee of this Oath, or any part thereof, which I acknowledge by good and full authoritie to be lawfully ministred vnto mee, And doe renounce all Pardons and Dispensations to the contrarie. And these things I doe plainly and sincerely acknowledge and swear, according to these expresse words by mee spoken, And according to the plaine and common sense and vnderstanding of the same words, without any Equivocation, or mentall evasion, or secret reservation whatsoever. And I doe make this Recognition and acknowledgement heartily, willingly, and truly, vpon the true faith of a Christian,

So helpe me God.

Vnto which Oath is taken, the said person shall subscribe his or her name or marke. 3. la. 4.

In Ind^tment shall not be reuerled for want of forme.

47 No Indictment or Indictments had or found, or hereafter to be had or found against any person or persons, for not repairing to some Church, or Chappell, or vniuersall place of Common Prayer, but absenting him, or her selfe by the space of one Moneth, contrarie to the Lawes and Statutes in that behalfe provided, or for not receiuing the said Sacrament, contrarie to this present Law, nor any Proclamation, Writ, or other proceeding thereupon, shall at any time hereafter be anoyed, discharged, or reuerled, by reason of any default in forme, or lacke of forme, or other defect whatsoever (other then by direct Trauers to the point of not coming to Church, or not receiuing the said Sacrament) whereof such person or persons hath bene, or shall be indicted, but the same Indictment shall stand in force, and be proceeded vpon: Any such default, or forme, or other defect whatsoever notwithstanding. Provided alwaies, That if any person or persons so indicted, or to be indicted, shall at any time hereafter submit and conforme him or her selfe, & become obedient to the Lawes of the Church of England and repaire to the Parish Church of his or her most abiding, and if there be none such, then to the Church next adioyning to his or her such dwelling, and there heare Divine Service, according to the true meaning of the Statute in that behalf made and provided, and there publikely receiue the said Sacrament, according to the Lawes of this Realme of England now established: That then euery such person and persons so indicted, shall and may from thenceforth be admitted and allowed, to anoid, discharge, reuerle, and vndo the said Indictment and Indictments, and all proceeding thereupon in such manner and forme as if this act had not bin had nor made, any thing herein contained to the contrarie in any wise notwithstanding. 3. lac. 4.

In Indictment reuerled vpon confession.

48 Euery Subiect of this Realme, that after the tenth day of June next coming, shall goe or passe out of this Realme, to serue any fozeine Prince, State, or Potentate, or shall after the said tenth day of June passe ouer the Seas, and there shall voluntarie serue any such fozeine Prince, State, or Potentate, not having before his or their going or passing taken the Oath aforesaid, before the officer hereafter appointed, shall be a felon. And if any Gentleman or person of higher degree, or any person or persons which hath borne, or shall beare any Office or place of Captaine, Lieutenant, or any other place, charge, or Office, in Campe, Armie, or Companie of Souldiers, or Conductor of Souldiers, shall after goe or passe voluntarily out of this Realme, to serue any such fozeine Prince, State, or Potentate, before that he or they shall become bound by Obligation, with two such Sureties as shall be allowed of by the Officers, which are hereafter by this Act limited, to take the same Bond vnto the King, his Heires or Successors, in the summe of twentie pounds of currant English money at the least, with Condition to the effect following, shall be a Felon. The tenor of which Condition followeth, viz.

Departing the Realme to serue a fozeine Prince.

Felony.

Bound in xx. l. with two Sureties.

Felony.

That if the within bounden &c. shall not at any time then after be reconciled to the Pope or Sea of Rome, nor shall enter into, or consent vnto any practise, plot, or conspiracie whatsoever, against the Kings Maiestie, his heires and successors, or any his or their Estate and Estates, Realmes and dominions: But shall within convenient time after knowledge thereof had, reueale and disclose to the Kings Maiestie his heires and successors, or some of the Lords of his or their Honorable Priuie Councell, all such practises, plots, and conspiracies, That then the said Obligation to be void.

The Condition of the Obligation.

And it shall & may be lawfull to and for the Customer and Controllor of euery Port, Hauen, or Creeke, or one of them, and their or either of their Deputie or Deputies, and none other, to receiue and accept all and euery such Bond and Obligation, to and for the vses aforesaid, and to minister and giue the Oath aforesaid, according to the true intent of this Statute (taking for such bond vij. l. and no more, and for the said oath no fee at all) which said Customer and Controllor shall Register and certifie all and euery such Bond and Oath so taken into the Court of Exchequer at Westminster once euery yeare, vpon paine of fine pounds for euery Bond not so certified, and twenty shillings for euery Oath not so certified. Provided alwaies, that this last mentioned branch shall not extend to any person or persons which are already gone, or shall go beyond the Seas to serue any fozein Prince, State, or Potentate, before the tenth day of June next coming, for his said going or passing before the tenth day of June. 3. Jac. 4.

Who may receive the said oath and Obligation.

49 If any person or persons at any time after the said tenth day of June, shall either vpon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Maiestie, his heires or successors, put in practise to absolve, persuade, or withdraw any of the Subiects of the Kings Maiestie, or of his heires or successors, of this Realme of England, from their naturall obedience to his Maiestie, his heires or successors, or to reconcile them to the Pope or Sea of Rome, or to moue them, or any of them, to promise obedience to any pretended authoritie of the See of Rome, or to any other Prince, State, or Potentate, Then euery such person, their Procurors, Counsellors, Ayders, and Maintainers, knowing the same, shall be to all intents adiudged Traytors, and being thereof lawfully convicted, shall haue iudgement, suffer and forfeit as in cases of High Treason. And if any such person, as aforesaid, at any time after the said tenth day of June, shall be either vpon the Seas, or beyond the Seas, or in any other place within

Reconciling to the Pope.

Being convicted.

Recusants.

the Dominions of the Kings Maiestie, his heires or successors, willingly abfolued, or withdrawne, as aforesaid, or willingly reconciled, or shall promise obedience to any such pretended authoritie, Prince, State, or Potentate, as aforesaid, every such person or persons, their Procuroers, and Counsellors, Ayders, and Maintainers, knowing the same, shall be to all intents adjudged Traytors, and being thereof lawfully convicted, shall have judgement, suffer and forfeit, as in cases of High Treason. Provided nevertheless, That the last mentioned Clause of this Branch, or any thing therein contained, shall not extend, or bee taken to extend, to any person or persons whatsoever, which shall hereafter bee reconciled to the Pope or Sea of Rome as aforesaid (for and touching the point of so being reconciled onely) that shall returne into this Realme, and thereupon within five daies next after such returne, before the Bishop of the Dioces, or two Justices of peace (jointly or severally) of the Countie where he shall arrive, submit himselfe to his Maiestie and his Lawes, and take the oath set forth by Act in the first yeare of the Reigne of the late Queene Elizabeth (commonly called the Oath of Supremacie) as also the oath before set downe in this present Act, which said Oaths the said Bishop and Justices respectively shall have power and authoritie by this present Act, to minister to such persons as aforesaid. And the said Oaths so taken, the said Bishop and Justices, before whom such Oaths shall be so taken, respectively shall certifie at the next generall or Quarter Sessions of the peace to be holden within the said Shire, Limit, Division or Libertie, where in such person as aforesaid shall submit himselfe, and take the said Oaths as aforesaid, upon paine of every one neglecting to certifie the same as aforesaid, the summe of forty pounds. All and every person and persons, that shall offend contrarie to this present Branch of this Statute, shall be indicted, tried, and proceeded against, by and before the Justices of Assise, and Gaole delivrie of that Countie, for the time being, or before the Justices of the Court of the Kings Bench, and be there proceeded against, according to the Lawes and Statutes of this Realme, provided against Traitors, as if the said offence had been committed in the same countie, where such person or persons shall be so taken, Any Law, Custome, or Statute to the contrarie in any wise notwithstanding. Provided alwaies, That if any Peeres of this Realme shall happen to be indicted of any offence made Treason by this Act, he shall have his trial by his Peeres, as in other like cases of Treason is accustomed. 3. Jac. 4. S. Rome 7.

50 If any Subject of this Realme, at any time after one moneth next after the end of this present Session of Parliament, shall not resort or repaire euerie Sunday to some Church, Chappell, or some other vsuall place appointed for Common prayer, and there haue Diuine Service, according to the Statute made in that behalfe, in the first yeare of the Reigne of the late Queene Elizabeth, then it shall and may be lawfull, to and for any one Justice of peace of that limit, division, or libertie, wherein the said partie shall dwell, upon pzoofe vnto him made of such default by confession of the partie, or oath of witnesses, to call the said partie before him, and if he or she shall not make a sufficient excuse, and due pzoofe thereof, to the satisfaction of the said Justice of peace: It shall be lawfull for the said Justice of peace, to giue warrant to the Churchwarden of the said Parish, wherein the said partie shall dwell, vnder his hand and Seale to leuie ry. pence for euery such default by distresse and sale of the goods of euery such offendor, rendring to the said offendor the ouerplus of the money raised of the said goods so to be sold, And in default of such distresse, it shall and may be lawfull for the said Justice of peace, to commit euery such offendor to some ppyson within the said Shire Division, Limit, or Libertie, wherein such offendor shall be inhabiting, untill payment

A reconciled
person taketh
the oath.

The trial.

Trial by
Peers.

The sort for
not going to
the Church e-
uery Sunday
S. Br. 1.

ment be made of the said summe or summes so to be forfeited, which forfeiture shall be employed, to and for the use of the poore of that parish, wherein the offender shall be resident and abiding, at the time of such offence committed. Provided, that no man be impeached upon this clause, except he be called in question for his said default, within one month next after the said default made. And no man being punished according to this branch, shall for the same offence be punished by the forfeiture of twelve pence, upon the Law made in the first yeare of the late Queene Elizabeth. 3. Jac. 4.

within what time the offence shall be presented.

51 Every person and persons, which after one moneth next after the end of this present Session of Parliament, shall willingly maintaine, retaine, relieue, keepe, or harbour in his or their house, any servant, sojourner, or stranger, who shall not goe to, or repaire to some Church, or Chappell, or usual place of common prayer, to heare Divine Service, but shall forbear the same by the space of one moneth together, not having a reasonable excuse, contrarie to the lawes and statutes of this Realme, shall forfeit tenne pounds for every moneth that he, she, or they shall so relieue, maintaine, retaine, keepe, or harbour any such servant, sojourner, or stranger in his, or their house, so forbearing as aforesaid. And every person which shall within the time aforesaid, retaine or keepe in his, her, or their service, see, or luerie, any person or persons which shall not goe to, or repaire to some Church, Chappell, or usual place of Common Prayer, to heare Divine Service, but shall forbear the same by the space of one moneth together, shall forfeit for everie moneth, he, she, or they shall so retaine, keepe, or continue in his, her, or their service, see, or luerie, any such person or persons so forbearing as aforesaid, knowing the same, tenne pounds. The same penalties to be recovered and employed in manner and forme hereafter following. Provided nevertheless, that this Act, shall not in any wise extend to punish or impeach any person or persons for maintayning, retaining, relieuing, keeping, or harbouring his, her, or their father or mother, wanting, without fraud or couin, other habitation or sufficient maintenance, or the Ward of any such person, or any person that shall be committed by authoritie to the custodie of any by whom they shall be so relieved, maintained, or kept: Any thing in this Act contained to the contrary notwithstanding. 3. Jac. 4.

Keeping a Recusant in his house.

Retaining a Recusant.

52 Upon any lawfull Writ, Warrant, or Process, awarded to any Sherife, or other Officer, for the taking, or apprehending of any Popish Recusant, standing Excommunicated for such Recusancie, it shall be lawfull for such Sherife, or other Officer, authorized in that behalfe if need be, to breake open any house wherein such person Excommunicate shall be, or to raise the power of the countie, for the apprehending of such person, and the better execution of such Warrant, Writ, or Process. 3. Jac. 4.

The Sherife may apprehend a person Excommunicat.

53 All and every offence to be committed or done against this present Act, shall and may be enquired of, heard and determined before the Justices of the Kings Bench, Justices of Assise, and Gaole delivrie, in their severall Assises, and Gaole delivries. And all offences other then Treason, shall be enquired, heard, and determined, before the Just. of Peace in their generall or quarter Sessions, to be holden within the Shire, Division, Limit, or Libertie, wherein such offence shall happen. 3. Jac. 4.

What Just. shall enquire of offenders.

54 Provided alwaies, that any Attainder of Felonie, made Felony by this Act, as is aforesaid, shall not in any wise extend to take away the dowry of the wife of any such person attainted, or be any barre for the recoverie of the same, nor shall make, or worke any corruption of blood, or disherison of any the heire or heires of any such person or persons so attainted: This Act, or any thing therein contained to the contrary in any wise notwithstanding. 3. Jac. 4.

The Attainder of Felony no corruption of blood, nor losse of dowry.

Recusants.

Plea in a suit
for anie fact
done by force
of this Stat.

55 If any Action or Actions, shall at anie time hereafter bee commenced or brought against any person or persons, doing, committing, or commanding any Act or thing, for, or concerning the execution of this present Statute, or any article or clause therein contained, Then euerie defendant in such action and actions, may plead the generall issue, and be receiued to maintaine the same by anie euidence that shall proue his doings and proceedings warrantable by this law. 3. Iac. 4.

Ecclesiasticall
jurisdiction
referred.

56 This Act, nor any thing therein contained, shall extend to take away or brydge the authoritie or iurisdiction of the Ecclesiasticall censure for any cause, or matter, But the Commissioners of his Maiestie, his heires and successors, in causes ecclesiasticall for the time being, and the Archbishops, Bishops, and other ecclesiasticall Judges, may do, and proceed, as befoze the making of this Act, they lawfully did or might haue done: Any thing in this Act to the contrarie in any wise notwithstanding. 3. Iac. 4.

Penaltie for
the wiuers offence.

57 No person shall be charged or chargeable with any penaltie or forfeiture by force of this Act, which shall happen for his wiuers offence, in not receiuing the said sacrament, during her mariage, nor any woman shall be charged or chargeable with any penaltie or forfeiture by force of this Act, for any such offence of not receiuing, which shall happen during her mariage. 3. Iac. 4.

Taking the
Oath of a
Poble man.

58 In all causes where any Bishop, or Iustices of the Peace, may by force of this Act, require and take of any Subiect the Oath aboue mentioned, the Lordes of the Priuie Councell for the time being, or any sixe of them, whereof the Lord Chauncelloz, Lord Treasorer, or the principall Secretarie for the time, to be one, shall haue full power and authoritie, by force of this Act, at any time or times, to require and take the said Oathes befoze mentioned, of any Poble man or Poble woman (then being aboue the age of xliij. yeares.) And if any such Poble man or Poble woman (other then women married) shall refuse to take such Oath or Oathes, in euerie such case, such Poble man and Poble woman, shall incurre the paine and danger of a Præmunire. 3. Iac. 4.

Passing out
of the Cinque
Ports.

59 Where any person or persons shall goe or passe out of the Cinque Ports, or anie member thereof, to any parts beyond the Seas, to serue anie forraigne Prince, State, or Potentate, in euerie such case the Lord Warden of the Cinque Ports for the time being, or any person by him in that behalfe appointed, or to be appointed, shall haue full power and authoritie by vertue hereof to take the bond, and minister the Oath to such Passengers, as is aboue mentioned. 3. Iac. 4.

Euery person
aboue the age
of 18. yeares
herein intenc-
ed shall take
the oath of O-
bedience.
Befoze whom
each person
shall take the
Oath.
Archbishops
and Bishops.
Ecclesiasticall
Judges and
Ministers.
A Baron, or
Baronelle or
aboue that de-
gree, and pri-
uie Councel-
lers and Ius-
tices.

60 All and euerie person and persons, as well Ecclesiasticall as Temporal, of what estate, dignitie, preheminence, sex, qualitie, or degree soeuer hee, shee, or they be, or shall be aboue the age of eightene yeares, being hereafter in this Act mentioned and intended, shall make, take, and receiue, a corporall Oath vpon the Euangelists, according to the tenor and effect of an Oath, set forth in a Statute made Anno 3. Iacobi 4. befoze such person or persons as hereafter in this Act is expressed: That is to say, all and euery Archbishop and Bishop that now is, or hereafter shall be, befoze the Lord Chauncelloz or Lord Keeper of the great Seale for the time being, And all and euerie Ecclesiasticall Judge, Officer and Minister, of what estate, dignitie, preheminence or degree soeuer he or they be or shall be, befoze the Archbishoppe of the Province, or Bishoppe or other Ordinarie of the Diocese for the time being, wherein such Ecclesiasticall Judge, Officer, or Minister ought to exercise his said office, place, or function. All and euery person and person, of, or aboue the degree of a Baron of Parliament, or Baronelle of this your Highnesse Realme of England, and all of your Highnesse priuie Coun-
Com

Councell, residing in London or Westminster, or within thirtie miles thereof, and the Presidents of Wales, and the South parts, before any four of your Highnesse Privie Councell, whereof the Lord Chauncelour, Lord Treasurer, Lord privie Seale, or principall Secretarie for the time being to be one. And if such person or persons live and reside in the countie, distant aboute thirtie miles from London, then before the Lord Bishopp of the Diocese, or such other person or persons, as the Lord Chauncelour or Lord Keeper of the great Seale for the time being, shall thereto by Writ of Dedimus potestatem authorize. And everie the twoyne servants ordinarie and extraordinarie of your Highnesse, the Queenes Grace, or of the household of the Prince of Wales, and of the rest of your Highnesse children, before the Lord Steward, the Lord Chamberlaine and Macechamberlaine to your Highnesse and the Queene, the Treasurer and Controulour of your Highnesse household, Master of your Highnesse hoyle, the Deane of the Chapell, and the Knight Marshall for the time being, the Officers of the Exchequer cloth, or any three of them. All and every Temporal Judge, Justices of peace, Sheriffe, Escheatores, Feodaries, and other Officers and Ministers of Justice in this present Act not specially mentioned, and everie other persons or persons that both or shall receive any fee of your Highnesse, your heires or successors, before the Lord Chauncelour or Lord Keeper of the great Seale, Lord Treasurer, Lord Admirall, Lord Warden of the five ports for the time being, or one of them, or before one of the chiefe Justices eyther of your Majesties Bench, or of the common Pleas, or before Justices of Assises of the same countie where the parties reside, or other such persons, as the Lord Chauncelour, or Lord Keeper of the said great Seale shall thereto authorize. All Mayors, Baylives, and other chiefe Officers of cities and townes corporate, by what names soever they bee called or knowne, before such person or persons as usually administer the Oath to them at their first entrance into their said Offices. All and every the Knights, Citizens, Burgeses, and Barons of the five Ports of the commons house of Parliament, at any Parliament or Session of Parliament hereafter to be assembled, before he or they shall be permitted to enter into the said house, before the Lord Steward for the time being, or their deputie or deputies, the Master of the Ordinance, Lieutenant of the Tower of London, and Appnt-master there, the four principall Officers of your Maie under the Lord Admirall, before the Lord Chauncelour or Lord Keeper of the great Seale, and the Lord Admirall for the time being, or any of them: All the Officers, Ministers, Servants, and others within your said Tower of London, before the Lieutenant of the Tower. All the Viceadmiralls, Captaines, Masters, Officers, Ministers, and Souldiers, in your Highnesse Shippes or any of them, before the said four principall Officers of your Maie, or any two of them: All persons having charge of castles, Fortresses, Blockhouses, or Garisons, and all Captaines who shall have charge of Souldiers within this your Highnesse Realme, before the Justices of Assise of the same countie, or before two Justices of the Peace of the same countie, citie, or libertie where the same castles, Fortresses, or Blockhouses shall stand, or the charge of Souldiers shall be. All Doctors, Advocates, and Doctors of the Civill Law, and their clerkes, before the Bishop of the Diocese, where they shall for the most part dwell or reside. All and everie person and persons temporal that hereafter shall sue luerie or Outter le maine out of the hands of your Highnesse, your Heires or successors, before his or their Outter le maine sued forth and allowed, before the Master of the Wardes and Liveries, or before the Surveyor and Attorney of your Highnesse said court, in open court. The Sergeants at Law, servants to the Judges in your Highnesse courts at Westminster, and all other in the Sergeants Innnes, before the chiefe Justice of your Ma-

The twoyne servants of the King and Prince &c.

Judges, Officers of Justice, and such as receive the Kings fee.

Chiefe officers of Cities and Townes corporate. Knights, Citizens, Burgeses.

The Master of the Ordinance, Lieutenant of the Tower &c.

Officers servants in the Tower. Officers and souldiers in ships. Captaines of Castles, souldiers.

Doctors, Doctors, Advocates of the Civill Law.

Surors of Luerie. Sergeants at Law, and the Judges servants.

Recusants.

Gentlemen of
the Innes of
Court and
principals &c.
of the Innes
of Chauncerie.
All of the
Innes of
Chauncerie.
Doctonotaries,
Attorneys,
Clerks,
&c.

Clerkes and
officers of the
Chauncerie.
Parsons, Vicars,
Curates,
&c. Scholemasters,
&c. The Vicechancellors in
the Universities,
and principals of Col-
leges, &c.
Halls.

Fellowes and
Schollers in
Colleges.

Doctors and
practisers of
Physicke.
Aldermen,
Sherifes, and
free of Cities
and Townes
corporate.

When the per-
sons aforesaid
shall take the
said Oath.

who may ten-
der the Oath,
and to whom.

leslies Bench, the chiefe Justice of the Common Pleas, and the chiefe Baron of your Erchequer, or some or one of them, all your Highnesse Subiects in the Innes of Court, or that hereafter shall be admitted thereinto, and the Principals and Treasurers of every Inne of Chauncerie, before the Readers and Benchers of the severall houses whereto they belong, or foure of them at the least, in their open Halls: All other your Highnesse Subiects, as well auncients as others, not being Principall or Treasurer, that now are, or hereafter shall be admitted into any Inne of Chauncerie, before the Principall or Treasurer and Auncients of the severall Innes of Chauncerie, or foure of them in their open Halls. All Doctonotaries, Philozers, Officers, Ministers, Attorneys, and clerkes that now are or hereafter shall be admitted to write or practise in any of your Highnesse courts at Westmynster, or in any other court of Record, before the Judge or Judges of the same court. All clerkes of the Chauncerie, and all their under-clerkes, and all other officers of the said court of Chauncerie, and their clerkes, before the Master of the Rolls for the time being, or before two of the Masters of the said court of Chauncerie. All parsons, vicars, and curates, and all other persons ecclesiasticall taking orders, and all and every Scholemaster and Master, before the Bishop of the Dioces, or other Ordinarie in the same sitting in open court. The Vicechancellors of both the Universities for the time being, and the Presidents, Wardens, Brousts, Masters of Colledges and Halls, and all other heads and principals of houses, Doctors and Bachelors of the Universities, publickly in the Convocation, before the Senior Masters there present. All and every other person whatsoever, that is or shall be promoted to any degree in Schole, before the Vicechancellor of the said Universitie for the time being, in the congregation house. All fellowes of houses, and all schollers of halls or colledges, that now are, or hereafter shall be received into the same, being under the degree of a Baron, before the President, Master, Broust, Warden, or other head or chiefe governor of that colledge, hall, or house whereinto he shall be received, and in the open hall. All Doctors of physicks, and all others who practise physick, that now are, or hereafter shall be admitted into the colledge of Physicians in London before the president of the same colledge for the time being. And all Aldermen, Sherifes, and under-officers whatsoever, of the cities and townes corporate, and all such as hereafter shall be made freemen of the said citie or towne corporate, before the Mayor, Baylives or other chiefe officer of the said citie or towne, in the open hall.

7. Jac. 6.
61 And to the intent that due execution may be had of the premisses without delay, all the persons before named who have any certaine time limited or expessed, when to take the foresaid oath, shall at the time therein prescribed take the same, and the rest within vij. moneths next after the end of this present session of Parl. 7. Jac. 6.

62 And it shall and may be lawfull to and for any one of the privie Councell of your highnesse, or of your heirs and successours, and to & for every Bishop within his dioces, to require any Baron or Baronesse of the age of 18. yeares, or above, to take the said oath, and to and for any two Justices of peace, within any countie, citie, or towne corporate, wherof one to be of the Quorum, to require any person or persons of the age of xviij. yeares, or above, under the degree of a Baron or Baronesse to take the said oath. And if any person or persons, of or above the said age and degree, now stand, or hereafter at any time shall stand, and be presented, indicted, or convicted, for not coming to Church, or not receiving the holy communion or Sacrament of the Lords Supper, according to the Lawes and Statutes of this Realme, before the Ordinarie, or other having lawfull power to take such presentment or Indictment, then three of the privie Councell of your highnesse, your heirs or successours, wherof the Lord Chancellor, Lord Treasurer, Lord privie Seale, or principall Secretarie to be one, upon knowledge thereof, shall require such person or persons to

to take the said Oath. And if any other person or persons whatsoever, of and above the said age, and under the said degree now stand, or at any time hereafter shall stand and be presented, indicted, or convicted for not coming to Church, or receiving the holy communion or Sacrament of the Lords Supper, according to the Lawes and Statutes of this Realme, before the Ordinarie, or any other having lawfull power to take such presentment or indictment, or if the Minister, petty Constable, and Churchwardens, or any two of them, shall at any time hereafter complaine to any Justices of P. neere adioyning to the place where any person complained of, shall dwell, and the said Justice shall find cause of suspicion, that then any one Justice of peace within whose Commission or power such person or persons shall at any time hereafter be, or to whom complaint shall be made as aforesaid, shall upon notice thereof, require such person or persons to take the said Oath: And if any person or persons being of the age of eightene yeares or above shall refuse to take the said Oath duely tendered unto him or her, according to the true intent and meaning of this Statute, that then the persons authorized by this Law to give the said Oath, shall and may commit the same offender to the common Gaole, there to remaine without baile or mainprise, untill the next Assises or generall quarter Sessions to be holden for the said Shire, Division, Limit, or libertie, where the said Oath shall be againe in the said open Sessions required of such person, by the said Justices of Assise, or Justices of peace then and there present, or the greater number of them. And if the said person or persons of the age of eightene yerres or above, shall refuse to take the said Oath, being tendered to him or her, by the said Justices of Assise and Gaole deliverte in their open Assises or Gaole deliverte, or the Justices of Peace or greater part of them in their generall or quarter Sessions, everie person so refusing shall incurre the danger and penaltie of Praemunire mentioned in a Statute made An. 16. R. 2. (except women covert, who shall be committed onely to prison, there to mainetaine without baile or mainprise, till they will take the said oath. And everie person so refusing to take the said Oath as abovesaid shall be disabled to all intents and purposes, to execute any publicke place of Judicature, or beare any other Office, (being no Office of inheritance) or ministeriall function within this your Highnesse Realme of England, or to use or practise the Common Law, or Civill Law, or the Science of Physicke or Surgerie, or the Art of an Apothecarie, or any Liberrall Science, for his or their gaine, within this Realme, untill such time as the same person shall receive the same Oath according to the intent of this Statute. 7. Jac. 6.

The penalty for refusing to take the said Oath.

Disabled to execute or practise certayne offices or sciences.

63 And if any married woman (being lawfully convicted as a Popish Recusant for not coming to Church) shall not within thre moneths next after such conviction conforme her selfe, and repaire to the Church, and receive the Sacrament of the Lords Supper according to the former Lawes and Statutes, made and provided on that behalfe, touching Recusants, that then she shall be committed to prison by one of the Privie Councell of your Highnesse, your heires or Successors, or by the Bishop of the Diocesse, if she be a Baronesse, or if she be under that degree, by two Justices of Peace of the same countie, whereof one to be of the Quorum, there to remaine without Baile or Paineprise untill she shall conforme her selfe, and come to Church and receive the Sacrament of the Lords Supper, unlesse the husband of such Wife shall pate to the Kings Maestie, his heires, or Successors, for the offence of his said Wife, for every Moneth tenne pound of lawfull money of England, or else the third part (in thre parts to bee divided) of all his Lands and Tenements, at the choice of the husband whose wife is so convicted as aforesaid, for and during so long time, as shee remaining a Recusant convicted, shall continue out of prison during which time (and no longer) shee may

The penaltie of a married woman Recusant which shall not come to the Church and receive the Sacrament.

Recusants.

may be at libertie. 7. Iacobi 6.

64 Such person as shall first discover to anie Justice of Peace, any Recusant, or other person, which shall entertaine or relieue any Jesuit, Seminarie, or Popish Priest, or shall discover any Masse to have bin said, and the persons that were present at such Masse, and the Priest that said the same, or any of them, within iij. daies next after the offence committed, and that by reason of such discovery, any of the said offendours be taken and convicted or attainted, Then the person which hath made such discoverie, shall not only be freed from the danger and penalty of any law for such offence, if he be an offendour therein, but also shall have the third part of the for. of all such summes of money, goods, chattels, and debts, which shall be forfeited by such offence (so as the same totall forfeiture exceed not the summe of 100. l. and if it exceed the summe of 100. l. the said person so discovering the said offence, shall have the summe of 50. l. onely for everie such discoverie:) And such person so discovering the same, after conviction of the offendour, shall have a certificate from the Judges or Justices of P. before whom such conviction shall happen to be, directed to the Sherrife or other Officer of the Countie, Limit, or place, that shall seize the goods, or lewie the said forfeiture, commanding the said Sherrife or other Officer to pay the same accordingly to him that so discovered the same, out of the moneyes to be leuied by vertue of the said forfeitures, which warrant and payment shall be effectuell in the law for that purpose, and a sufficient discharge in that behalfe for the Sherrife or other Officer upon his account. 3. Iac 5.

A Recusant shall not come to the Court.

65 No Popish Recusant convicted, or to be convicted, shall come into the Court or house where the K. Maiestie, or his heire apparant to the Crowne of England shall be, vnielſe he be commanded so to do by the Kings Maiestie, his heires or successors, or by warrant in writing from the Lords and others of the most honorable privie Councell of the K. Maiestie, his heires and successors, or any of them, upon paine to forfeit for everie time so offending 100. l. the one moitie to the K. Maiestie, his heires and successors, the other moitie to him that will discover and sue for the same by A. B. P. or J. in any of his Maiesties Courts of Record, wherein no C. P. M. &c. 3. Iac 5.

Recusants shall depart from London.

66 All Popish Recusants indicted or convicted, and all other persons which have not repaired to some vsuall Church or Chappell, and there heard diuine Service, but have forborne the same by the space of thre monethes last past, contrarie to the Lawes and Statutes of this Realme, dwelling, abiding, or remaining within the Citie of London or the Liberties thereof, or within ten myles of the said Citie, shall within thre moneths next after the end of this session of Parliament, depart from the said Citie of London, and ten myles compasse of the same, and also shall deliuer by their names to the Lord Mayor of London, in case such Recusant doe dwell or remaine within the said Citie of London, or the Liberties thereof: And in case the said Recusant shall dwell or remaine in any other countie within tenne myles of the same citie, then the said Recusant shall deliuer by his or her name to the next Justice of peace, within such countie where the said Recusant shall so dwell or remaine within fortie dayes after the end of this session of Parliament, upon paine, that everie person offending herein, shall forfeit to our Soueraigne Lord the Kings Maiestie, his heires and successors, the summe of 100. l. the one moitie whereof shall be to the Kings Maiestie, his heires and successors, the other moitie to him or them that will sue for the same by A. B. P. or J. in any of the Kings Maiesties Courts of Record, wherein no C. P. M. &c. And all Popish Recusants which shall hereafter come, dwell, or remaine within the said Citie of London or the Liberties thereof, or within ten myles of the said Citie, which now are, or hereafter shall bee indicted or convicted of such Recusancie, or which shall at

at any time hereafter not repaie to some small Church or Chappell, and there heare diuine service, but shall so beare the same by the space of 3. moneths, contrarie to the Lawes and Statutes of this Realme, shall within 10. daies after such Indictment or Conuiction, depart from the said Citie of London, and ten myles compasse of the same, and also shall deliuer by their names to the Lord Maior of London for the time being, in case such Recusant shall dwell or remaine within the said Citie of London, or the Liberties thereof: And in case the said Recusant shall dwell or remaine in any other Countie within ten myles of the same Citie, then the said Recusant shall deliuer by his or her name to the next Justice of peace within such Countie where the said Recusant shall so dwell or remaine, within ten daies next after such Indictment or Conuiction, vpon paine that euery person offending herein, shall likewise forfeit to our said Soueraigne Lord the Kings Maiestie, his heires, and successours, the like summe of 100. pounds, the one moiety whereof shall be to the Kings Maiestie, his heires, and successours, and the other to him or them that will sue for the same by A.B.C. or J. in any of the Kings Maiesties Courts of Record, wherein no C.B.W. or C. Provided alwaies, that such person or persons as now be any Trade, Myserie, or manuell Occupation within the said city of London, or within ten miles of the same, and such as haue, or shall haue their onely dwelling within the said Citie, or ten myles compasse of the same, not hauing any other dwelling or place of abode elsewhere, shall or may remaine and continue in such place within the said Citie, or ten myles of the same, as they haue dwelled, inhabited, or remained in by the space of three moneths next before this present session of parliament, Any thing herein contained, to the contrary notwithstanding. 3. Jac. 5.

67 It shall and may be lawfull for the Kings most excellent Maiestie, his heires and successours, or for three or more of his Maiesties most Honourable Privie Councell, or for three or more of the Privie Councell of his heires or successours, in writing vnder the hands of the said Privie Councellores, to giue Licence to euery confined Recusant to go and trauell out of the compasse of five myles, for such time as in the said Licence shall be contained, for their travelling, attending, and returning, and without any other cause to be expressed within the said Licence. And if any of the persons which are so confined by vertue of the Statute of 35. Eliz. 2. shall haue necessarie occasion or businesse to go and trauell out of the compasse of the said five miles, then, and in euery such case, vpon licence in writing in that behalf to be gotten vnder the hands and seales of foure of the Justices of peace of the same Countie, Limit, Diuision, or place next adioining to the place of abode of such recusant, with the priuie and assent in writing of the Bishop of the dioces, or of the Lieutenant, or of any Deputie Lieutenant of the same Countie, residing within the said Countie or Libertie, vnder their hands and seales, In euery of which Licence or Licences in writing so to be had or made, shall be specified and contained both the particular cause of the said Licence, and the time how long the said party licenced shall be absent in travelling, attending, and returning, it shall and may thereupon be lawfull for euery such person so licenced, to go and trauell about such their necessarie businesse, and for such time onely for their travelling, attending, and returning, as shall be comprised in the said Licence, the said partie so licenced first taking his corporall oath before the said foure Justices of the peace, or any of them (who shall haue authoritie by vertue of this Act to minister the same) that he hath truly informed them of the cause of his tourney, and that he shall not make any causelesse staies. And all and euery licence hereafter to be made in this behalfe, contrarie to the tenor, effect, and true meaning of this statute, shall be utterly void, Any thing in the said former Act of 35. El. 2. or in this Act to the contrary notwithstanding. And euery person so confined, which shall depart or go aboue five miles

Licence to a
Recusant con-
fined to travel

Recusants.

from the place, wherunto he is or shall be confined, not having such licence, and not having taken such oath as aforesaid, shall incur the paine & penalty, and forfeit, as a recusant convicted, & passing or going above five miles from the said place wherunto he is or shall be confined by the said Stat. of 35. El. should do. 3. Jac. 5. S. 35. El. 2. Br. 26. &c.

A Recusant disabled of certain offices and functions

68 **So** Recusant convicted, shall at any time after the end of this Session of parliament, practise the Common Law of this Realme, as a Counsellor, Clerke, Attorney, or Solicitor in the same, nor shall practise the Civill Law, as Advocate, or Proctor, nor practise Physike, nor exercise or use the trade or Art of an Apothecarie, nor shall bee Judge, Minister, Clerke, or Steward of or in any Court, or keeps any Court, nor shall be register, or towne-clerke, or other minister or officer in any court, nor shall beare any office or charge, as captaine, lieutenant, corporall, sergeant, ensigne-bearer, or other office in campe, troupe, band, or companie of Soldiers, nor shall be captaine, master, governour, or beare any office or charge, of, or in any ship, castle, or fortress of the R. Maiest. his heirs, & successors, but be utterly disabled for the same: and every person offending herein, shall also forfeit, for every such offence 100. l. to the R. & A. to be rec. by A. B. P. A. in any of the R. courts of Record, wherein no C. P. M. &c. 3. Jac. 5.

Recusants shall have no publicke offices.

69 **So** Popish Recusant convicted, nor any having a wife being a Popish Recusant convicted, shall at any time after the end of this Session of Parliament, or any popish recusant hereafter to be convicted, or having a wife which hereafter shall be a popish recusant convicted, at any time after his or her conviction, shall exercise any publicke office or charge in the commonwealth, but shall bee utterly disabled to exercise the same by himselfe, or by his deputie (except such husband himselfe, and his children which shall be above the age of 9. yerres abiding with him, and his servants in household, shall once every moneth at the least, not having any reasonable excuse to the contrarie, repaire to some church or chappel, vsall for diuine seruice, & there heare diuine seruice, and the said husband, and such his children & servants, as are of meet age, receiue the Sacrament of the Lords Supper, at such times as are limited by the lawes of this Realme, and doe bring by his said children in true religion. 3. Jac. 5.

A woman married recusant.

70 Every married woman being or that shall bee a popish recusant convicted (her husband not standing convicted of popish recusancie) which shall not conforme herselfe, and remaine conformed, but shall forbear to repaire to some church, or vsall place of Common Prayer, & there to heare diuine seruice and Sermon, if any then be, and within the said yeare receiue the Sacrament of the Lords Supper, according to the lawes of this realme, by the space of one whole yeare next before the death of her said husband, shall forfeit, and lose to the R. Maiest. his heirs and successors, the issues & profits of two parts of her Jointure, and two parts of her dower in three parts to be diuided during her life, of, or out of any lands, tenements, or hereditaments, which are, or were her said husbands, & also bee disabled to be executrix or administratrix of her said husband, and to haue or demand any part or portion of her said late husbands goods or chattels, by any law, custome, or usage whatsoeuer. 3. Jac. 5.

Executrix. Administratrix.

A Recusant disabled as excommunicate.

71 Every popish recusant, which is or shall be convicted of Popish Recusancie, shall stand and bee reputed to all intents and purposes disabled, as a person lawfully and duely excommunicated, & as if he or she had bin so denounced and excommunicated, according to the lawes of this realme, untill he or she so disabled, shall conforme him or herselfe, & come to church to heare diuine seruice, & receiue the sacrament of the Lords Supper, according to the Lawes of this Realme, and also take the Oath appointed and prescribed in one other Act made this present Session of Parliament, intituled, An Act for the better discovering and repressing of Popish Recu

Recusants. And enerie person or persons sued, or to be sued by such person so disabled, shall and may plead the same in disabling of such plaintife, as if he or she were excommunicated by sentence in the Ecclesiasticall Court. Provided nevertheless, that it shall and may be lawfull for any such person so disabled, for and notwithstanding any thing in this law contained, to sue or prosecute any Action or Suit, for or concerning only such of his or her lands, tenements, leases, rents, annuities, and hereditaments, or for the issues & profits thereof, which are not to be seized, or taken into the h. hands, his heirs, or successors, by force of any law, for, or concerning his, or her Recusance, or any part thereof. 3. Jac. 5.

what suits a Recusant may prosecute.

The marriage of a Recusant

72 Every man being, or which shall bee a Popish Recusant convicted, and who shall be hereafter married otherwise than in some open Church or Chappell, & otherwise than according to the orders of the Church of England, by a Minister lawfully authorized, shall be utterly disabled and excluded to have any estate of freehold into any the lands, tenements, and hereditaments of his wife as tenant by the curtilie of England: And every woman being, or which shall be a popish recusant convicted, & who shall be hereafter married in other forme than is aforesaid, shall be utterly excluded & disabled not onely to claime any dower of the inheritance of her husband, whereof she may be endowable, or any jointure of the lands and hereditaments of her husband, or any of his aunccestors, but also of her widowes estate, and frank-banke in any customarie lands, whereof her husband died seized, & likewise be disabled & excluded to have or enjoy any part or portion of the goods of her said husband by vertue of any custome of any countie, citie, or place, where the same shall lie or be. And if any such man shall be married with any woman, contrarie to the intent and true meaning of this Act, which woman hath, or shall have no lands, tenements, or hereditaments, whereof he may be intituled to be tenant by the curtilie, then such man so marrying, as aforesaid, shall forfeit. C. l. to the h. & 3. to be recovered by A. B. D. or J. in any of the R. courts of record, wherein no C. D. or W. ec. 3. Jac. 5.

Baptisme of Recusants children.

Buriall of a Recusant.

Children going beyond the Sea.

73 Every Popish Recusant, which shall hereafter have any child bozne, shall within one moneth next after the birth thereof, cause the same child to be baptized by a lawfull Minister, according to the lawes of this realme, in the open church of the said parish where the child shall bee bozne, or in some other Church nere adjoining, or chappell where baptisme is usually administrated: Or if by infirmities of the child, it cannot be brought to such place, then the same shall within the time aforesaid be baptized by the lawfull Minister of any of the said parishes or places aforesaid, upon pain that the father of such child, if he be living by the space of one month next after the birth of such child, or if he be dead within the said moneth, then the mother of such child shall for everie such offence forfeit. C. l. of lawfull mony of England, one third part whereof to be to the h. his heirs & successors, one other third part to the A. or him that will sue for the same, & the other third part to the poore of the said parish, to be rec. by A. B. D. or J. wherein no C. D. or W. ec. And if any popish recusant, man or woman, not being excommunicate, shall bee buried in any place other than in the church or churchyard, or not according to the ecclesiasticall laws of this realme, the executors or administrators of everie such person so buried, knowing the same, or the partie that causeth him to be so buried, shall forfeit the summe of xx. l. the one third part whereof, shall be to our Soveraigne Lord the h. the other third part to the Injoynmer, or him or them that will sue for the same, the other third part to the poore of the parish, where such person died, by A. B. D. or J. wherein no C. D. or W. ec. 3. Jac. 5.

74 If the children of any Subject within this Realme (the said children not being Souldiers, Mariners, Merchants, or other Apprentices or Factors) to prevent their good education in England, or for any other cause, shall hereafter bee sent

Recusants.

or go beyond Seas, without Licence of the Kings Maestie, or fire of his honorable Privie Councell (whereof the principall Secretarie to be one) vnder their Hands and Seales, then all and euerie such child and children so sent, or which shall so go beyond the Seas, shall take no benefit by any gift, conueyance, descent, deuise, or otherwise, of, or to any Lands, Tenements, Hereditaments, Leases, Goods, or Chattels, vntill he or they being of the age of 18. yeares or above, take the oath mentioned in an Act of Parliament made this present Session, entitled, An Act for the better discovering and repressing of Popish Recusants, before some Justice of peace of the Countie, Libertie, and Limit, where such Parents of such children, as shall be so sent, did, or shall inhabite and dwell. And in the meane time, the next of his or her kinne, which shall bee no Popish Recusant, shall haue and enioy the said Lands, Tenements, Hereditaments, Leases, Goods, and Chattels so giuen, conueied, descended, or deuised, vntill such time as the person so sent or gone beyond the Seas, shall consoyme him or her selfe, and take the aforesayd Oath, and receiue the Sacrament of the Lords Supper. And after such Oath taken, and consoyming of himselfe, and receiuing the Sacrament of the Supper of the Lord, he or they which haue so receiued the profits of the sayd Lands, Tenements, Hereditaments, Goods and Chattels, or any of them, shall make account of the profits so receiued, and in reasonable time make payment thereof, and restore the value of the said goods to such person as shall so consoyme him or her selfe, as aforesaid. And all such persons as shall send the said child or children ouer Seas, without Licence, as aforesaid (vnlesse the said child or children be Merchants, or their Appzntices or Factors, Pariners or Souldiers) shall forfeit 100. l. to be diuided, had, and recouered in three equall parts, whereof the one third part shall be to the king, his heirs & successours, the other third part to such as shall sue for the same, and the other third part to the pooze of such Parish, where such offendor both inhabite or remaine, by A. B. P. or J. wherein no C. P. M. &c. 3. Jac. 5. S. I. cluic &c. 14.

Sending children beyond the Sea.

They which are beyond the sea, shall returne.

75 And for that many subjects of this Realme, being neither Merchants, nor their Factors, nor Appzntices, Souldiers, nor Pariners, are of late gone beyond the Seas without Licence, and are not as yet returned, Be it enacted, that if any of the said persons so gone beyond the Seas without Licence, which are not yet returned, shall not within 6. moneths next after their returne into this Realme, then being of the age of 18. yeares, or moze, take the Oath aboue specified, before some Justice of peace of the Countie, Libertie, or Limit where such person shall inhabite or remaine, then euerie such offendor shall take no benefit by any gift, conueyance, descent, deuise, or otherwise, of, or to any Lands, Tenements, Hereditaments, Goods, or Chattels, vntill hee or they being of the said age of 18. yeares, or above, take the said Oath & that likewise in the meane time the next of kin to the person so offending, which shall be no Popish Recusant, shall haue & enioy the said Lands, Tenements, Hereditaments, Goods, and Chattels, so giuen, conueied, descended, or deuised, vntill such time as the person so offending shall consoyme himselfe, & take the aforesaid Oath, and receiue the said Sacrament of the Lords Supper. And after such consoyming, taking of the said Oath, and receiuing of the said Sacrament, he or they that shall haue so receiued the profits of the said lands, tenements, hereditaments, goods, and chattels, shall make account of the profits so receiued, & in reasonable time make payment thereof, & of the value of such goods and chattels, to such person as shall so consoyme him or her selfe as aforesaid. 3. Jac. 5.

No Recusant shall present to a Benefice, nor grant an Advowson.

76 Euerie person or persons that is or shall be a Popish Recusant convicted, during the time that he shall be or remaine a Recusant, shall from and after the end of this present Session of parliament, bee utterly disabled to present to any benefice with cure, or without cure, prebend, or any other Ecclesiasticall lining, or to col-

late

late or nominate to any Free Schole, Hospitall, or Donatiue whatsoener, and from the beginning of this present Session of Parliament, shall likewise bee disabled to graunt any auopdase to any benefice, pzebend, or other Ecclesiasticall living, and the Chancelor and Schollers of the Uniuerstie of Oxfozd, so often as any of them shalbe void, shall haue the pzeresentation, nomination, collation, & donation of and to euery such benefice, pzebend, or ecclesiasticall living, schole, hospitall, and donatiue, set, lying, and being in the countie of Oxfozd, Kent, Middlesex, Sussex, Surrey, Hampshire, Barkeshire, Buckinghamshire, Gloucestershire, Worcestershire, Staffordshire, Warwickeshire, Wiltshire, Somersetshire, Denonshire, Cornetwall, Dorsetshire, Herefordshire, Portsmouthshire, Pembrokeeshire, Carmartheshire, Brecknockshire, Pomonothshire, Cardiganhire, Pountgomeryshire, the Citie of London, & in euery city and town, being a countie of it selfe, lying and being within any of the limits and pzeincts of any of the Counties afozesaid, or in or within any of them, as shal happen to be void, during such time as the patron therof shalbe and remain a recusant conuict, as afozesaid. And the Chancelor and schollers of the Uniuerstie of Cambridg shall haue the pzeresentation, nomination, collation, and donation of & to euery such benefice, pzebend, or Ecclesiasticall living, schole, hospitall, and donatiue, set, lying, & being in the Counties of Essex, Hertfordshire, Bedfordshire, Cambridgeshire, Huntingtongshire, Suffolke, Pzoffolke, Lincolnshire, Rutlandshire, Leicestershire, Derbyshire, Pzottinghamshire, Shropshire, Cheshire, Lancashire, Pzorkeshire, the Countie of Durham, Pzorthumberland, Cumberberland, Westmerland, Radnoshire, Denbighshire, Flintshire, Carnaruanhire, Angleseyshire, Pzertonethshire, Glamorganshire, & in euery citie and towne, being a county of it selfe, lying within any of the limits or pzeincts of any of the counties last befoze mentioned, or in or within any of them, as shal happē to be void, during such time as the patron therof shalbe & remaine a Recusant conuict, as is afozesaid. Pzouided, that neither of the said Chauncelors & Schollers of either the said Uniuersties, shal pzeent or nominate to any benefice with cure, pzebend, or other ecclesiasticall living, any such person, as shal then haue any other benefice with cure of soules, And if any such pzeentation or nomination shall be had or made of any such person to benefice, the said pzeentation or nomination shall be utterly void, Any thing in this present act to the contrarie notwithstanding. 3. Jac. 5.

77 Recusants conuicted, or which shall bee conuicted at the time of the death of any testator, or at the time of the granting of any Administration, shall be disabled to be executor or administrator by force of any Testament hereafter to be made, or letters of Administration hereafter to be granted, nor shall haue the custodie of any child as Guardian in Chivalrie, Guardian in socage, or Guardian in nurture, of any lands, tenements, or hereditaments, being freehold or copyhold, but shall bee adindged disabled to haue any such wardship, or custodie of any such child, or of their lands, tenements, or hereditaments, being freehold or copyhold, as afozesaid. And that for the better education & pzeeruauon of the said children and of their estates, the next of the kin to such child or children, to whom the said lands, tenements, or hereditaments of such child or children cannot lawfully discend, who shall usually resort to some church or chappell, & there heare diuine seruice, & receiue the holy sacrament of the Lords Supper thrice in the yeare next befoze, according to the lawes of this realm, shal haue the custodie & education of the same child, & of his said lands and tenements being holden in knights seruice, vntill the full age of the said ward of 21. yeares, And of his said lands, tenements, & hereditaments, being holden in socage, as a Guardian in socage, And of the said lands, tenements, and hereditaments holden by copie of Court-roll of any manors, so long as the custome of the said manor shall permit & allow the same, & in euery of the said cases shal yeeld an account of the pzofits thereof to the said ward, as the case shall require. And if at any time

A Recusant
shall not be
executor, ad-
ministrator, or
Guardian.

Recusants.

hereafter, any of the wards of the B. Paieſtie, or of any other, ſhall be granted or ſold to any Popiſh Recuſant convict, ſuch grant or ſale ſhall be utterly void. 3. Jac. 5.

Popiſh books 78 No perſon or perſons ſhall bring from beyond the ſeas, nor ſhall print, ſell, or buy any popiſh Primers, Labies, Pſalters, Mannels, Roſaries, Popiſh Catechiſmes, Piſtals, Breviaries, Boxtals, Legends & liues of Saints, containing ſuperſtitious matter, printed or written in any language whatſoever, nor any other ſuperſtitious bookes printed or writing in the Engliſh tongue, upon paine of fozt. of 40. s. for euery ſuch booke; One third part thereof to bee to the B. Paieſtie, his heires and ſucceſſors, one other third part to him that will ſue for the ſame, and the other third part to the poore of the pariſh, where ſuch booke or bookes ſhall be found, to be rec. by A. B. P. or J. wherein no C. P. M. ec. And the ſaid bookes to be burned; And it ſhall be lawful for any two Ju. of P. within the limits of their iuriſdiction, or authoritie, & to all maiors, bailifs, and chiefe officers of cities & towneſ coꝝpoꝝat in liberties, from time to time, to ſearch the houſes and lodgings of euery popiſh recuſant convict, or of euery perſon, whoſe wife is or ſhall be a popiſh recuſant convict, for popiſh bookes, & reliques of poperie; And if any altar, pic, beads, pictures, or ſuch like popiſh reliques, or any popiſh booke or bookes ſhall be found in their or any of their cuſtodie, as in the opinion of the ſaid Juſtices, Paioꝝ, bailife, or chiefe officer, as afoꝝſaid, ſhall be thought bñmet for ſuch recuſant, to haue or uſe, the ſame ſhall be preſently defaced & burned, if it be met to be burned: And if it be a crucifixe or other relique of any price, the ſame to be defaced at the generall quarter ſeſſions of y^e yeare, in the countie where the ſame ſhall be found, & the ſame ſo defaced, to bee reſtoꝝed to the owner againe. 3. Jac. 5.

Recuſants houſes ſearched.

Popiſh reliques defaced

Recuſants armour.

79 All ſuch Armour, Gunpowder, and Munition, of whatſoener kinds, as any popiſh recuſant convict within this Realme of England, hath or ſhall haue in his houſe or houſes, or elſewhere, or in the hands or poſſeſſion of any other at his or their diſpoſition, ſhall be taken from ſuch popiſh recuſants, or others, which haue or ſhall haue the ſame, to the uſe of ſuch popiſh recuſant, by warrant of 4. Juſtices of P. at their generall or quarter ſeſſions to be holden in the ſame countie where ſuch popiſh recuſant ſhall be reſident (other than ſuch neceſſarie weapons, as ſhall be thought fit by the ſaid 4. Juſtices of peace) to remaine and be allowed for the defence of the perſon or perſons of ſuch Recuſants, or for the defence of his, her, or their houſe or houſes) and the ſaid armour and munition ſo taken, ſhall bee kept and maintained at the coſts of ſuch recuſants, in ſuch places, as the ſaid 4. Juſtices of Peace at their ſaid ſeſſions of the Peace ſhall ſet downe and appoint. If any ſuch Recuſant, having, or which ſhall haue any ſuch armour, gunpowder, and munition, or any of them, or if any other perſon or perſons, which ſhall haue any ſuch armour, gunpowder, and munition, or any of them, to the uſe of any ſuch recuſant, ſhall reſuſe to declare or manifelt vnto the ſaid Juſt. of P. or any of them, what armour, he, ſhe, or they haue, or ſhall haue, or ſhall let, hinder, or diſturbe the deliuerie thereof, to any of the ſaid Juſtices, or to any other perſon authoriſed by their warrant to take and ſeiſe the ſame, then euery ſuch perſon ſo offending, contrary to this Stat. in this behalfe, ſhall foꝝf. and looſe to the B. Paieſtie, his heires, & ſucceſſors, his and their ſaid armoz, &c. and ſhall alſo be impriſoned by warrant of or from any Juſt. of P. of ſuch countie, by the ſpace of 3. moneths, without baile or mainepplſe. And yet neuertheleſſe, notwithstanding the taking away of ſuch armour, &c. the ſaid popiſh recuſant ſhall be charged with the maintaining of the ſame, and with the buying, pꝝouiding, & maintaining of horſe, and other armoz & munition, ſuch ſoꝝt as other his Paieſties ſubiects from time to time ſhall be appointed and commaunded, according to their ſeueral abilities & qualities, and the ſaid armoz & munition at the charge of ſuch popiſh recuſant for them, and as their owne pꝝouiſion of armoz and munition, ſhall be ſhewd at euery Quarter ſeſſion, ſhew, or uſe of armoz, to be

he had or made within the said Countie. 3. Jac. 5.

80 Provided alwaies, that neither this Act, nor any thing therein contained, Ecclesiastical
shall extend to take away or abridge the authoritie or Jurisdiction of the Ecclesiasti-
call censures for any cause or matter, but the Commissioners of his Maiestie, his
heirs & successors in causes Ecclesiastical for the time being, Archbishops, bishops,
and other Ecclesiastical Judges may do, and proceed, as befoze the making of this
Act they lawfully did or might haue done, any thing in this act to the contrarie not-
withstanding. 3. Jac. 5.

1 The penaltie of such Recusants that doe refuse to pay their first fruits or tenths.
S. Ecclesiastical. 24. 29.

2 Which Iustices may enquire of Recusants. S. Iust. of P. 9.

Redisseisin.

If any man be disseised of his freehold, & doth reconer his seisin befoze the Just. in
Cire, by Assise of Nouel disse. or by confession of him which did the disseisin, & hath
seisin deliuered vnto him by the Shirife, if the same disseisors, after the departure of
the Just. or in the meane time do disseise the said plaintife of the same freehold, and
therof be conuict, they shall be taken & kept in the K. prison, vntill the K. hath dischar-
ged them by fine or some other meane. The same remedie shall they haue which doe
reconer their seisin by assise of Mortdancester. And the same remedie is of all lands
& tenements recovered in the K. court by iuries, if they be after disseised by the first
disseisors, against whom in any maner they haue recovered by Juries. Merton 20.
H. 3. 3. And they shall haue remedie by writ of Redisseisin which haue recovered by
default, reddition, or in any other maner, without recognition of assises or Juries,
W. 2. 13. E. 1. 26. Tenant by Elegit shall haue a writ of Redisseisin. W. 2. 13. E. 1. 18.
and so shall tenant by stat. Merchant. 13. E. 1. de Mercatoribus.

Who shall
maintaine a
writ of Redis-
seisin.

2 When the pl. commeth into the Court, he shall haue the K. writ directed to the
Shirife, wherein shall be contained his declaration of disseisin done vpon disseisin. And
the Shirife shall be commanded, that he (taking with him the coroners, & other law-
ful knights) shall go in his own person to the tenement or pasture whereof the plaint
is made, & that he shall make befoze them diligent inquirie by the first iuroz & other
neighbours and lawfull men of the vicinage thereof, and if they find him disseised
again, then they shall doe according as is aforesaid. And if it be otherwise found,
the plaintife shall be amerced, and the other shall goe quit, but the Shirife shall not ex-
ecute any such plaint without the Kings commandement. Merton 20. H. 3. 3.

The cause &
effect of the
writ of Redis-
seisin.

3 In writs of Redisseisin double damages shall be awarded, and they which be ta-
ken for Redisseisin, be not repleuisable by a commo writ, nor shall be deliuered with-
out the K. speciall commandement, and that vpon a fine to be made to the K. for the
offence, & if the Shirife do deliuer them in any other sort, he shall be grievously amer-
ced, and they for their offence greatly punished. Marl. 5. 2. H. 3. 8. W. 2. 13. E. 1. 26.

The punish-
ment for Redis-
seisin.

1 Writs of Redisseisin shall be inrolled and sent yearely vnto the Exchequer. S.
Admeasurement 2.

Reliefe.

If any Earle, Baron, or other the K. tenants, which holdeth of his grace in ca-
pire by Knights seruice, do die, & at the time of his death, his heire of full age, and
sweth vnto the K. reliefe, he shall haue his inheritance for the ancient reliefe, That
is to say, the heire or heires of an Earle for a whole Earledome 100. l. the heire or
heires of a Baron, for a whole Baronie, 100. marks, the heire or heires of a Knight
for a whole knights fee, 100. s. at the most, & he that hath lesse shall giue lesse, at coz-
ding

The reliefe of
an Earle, ba-
ron, & knights
heire.

Rents.

bing to the auncient custome of fees. Magna Chart. 9. H. 3. 2.

1 An heire which hath bin in ward, shall haue his inheritance without paying re. life. S. Wards 3.

2 The heire of full age at the death of his auncestor, shall onely pay reliefe to his Lord. S. Wards 9.

Rents.

A remedie for the executors, for rents due to their testator.

The Executors and Administrators of every tenant in fee simple, tenant in fee taile, and tenant for terme of life, of rent service, rent charge, and fee fermes, unto whom any such rent or fee ferme is or shall be due, and not paid at the time of his death, shall and may haue an action of debt for all such arrerages against the tenant or tenants that ought to haue paid the same rent or fee fermes so being behind, in the life of the Testator, or against the Executors and Administrators of the said tenants. And also furthermoze it shall be lawfull to euerie such Executor and Administrator of any such person or persons, unto whom such rent in fee ferme shall be due, and not paid at the time of his death, as is aforesaid, to distraine for the arrerages of all such rents and fee fermes, vpon the lands, tenements, and other hereditaments, which were charged with the payment of such rents or fee fermes, and chargeable to the distresse of the said testator, so long as the said lands, &c. continue, remaine, and be in the seisin or possession of the said tenant in demesne, who ought immediately to haue paid the said rent or fee ferme so being behind, to the said testator in his life, or in the seisin or possession of any other person or persons claiming the said lands, &c. onely by and from the same tenant by purchase, gift, or discent, in like manner and forme as their said testator mought or ought to haue done in his life time, and the said Executors and Administrators, shall for the same Distresse lawfully make auowzie, vpon their matter aforesaid. But this Act shall not extend to any such Manor, Lordship, or Dominion in Wales, or in the Marches of the same, whereof the inhabitants haue used time out of the minde of man, to pay unto euerie Lord, or owner of such Lordship, Manor, or Dominion, at his first entrie into the same, any summe or summes of money for the redemption on an discharge of all duties, forfeitures and penalties, wherewith the said inhabitants were chargeable to any of their Lords, ancestors, or predecessors, before his said entrie. 32. H. 8. 37.

Redemption money in Wales.

The husbands remedie for rent due in the life of his wife.

2 If any man hauing in the right of his wife any estate in fee simple, fee taile, or for terme of life, of, or in any rents, or fee fermes, & the same rents or fee fermes shalbe due and vnpaid in the said wifes life, then the said husband after the death of his said wife, his executors and administrators, shall haue an action of debt for the said arrerages against the tenant of the demesne that ought to haue paid the same, his executors or administrators. And also the same husband after the death of his said wife, may distraine for the arrerages, in like maner and forme as he might haue done, if his said wife had bin then liuing, and make auowzie vpon his matter, aforesaid. 32. H. 37.

The remedie for a rent the estate wherof dependeth vpon an others life being dead

3 If any person or persons which shall haue any rents or fee fermes for terme of life or liues of any other person or persons, and the said rent or fee ferme shall be due, behinde, & vnpaid in the life of such person or persons, for whose life or liues the estate of the said rent or fee ferme did depend or continue, and after the said person or persons doe die, then he unto whom the said rent or fee ferme was due, in forme aforesaid, his executors and administrators, shall and may haue an action of debt against the tenant in demesne that ought to haue paid the same when it was first due, his executors and administrators. And also distraine for the same arrerages vpon such lands and tenements, out of the which the said rents or fee fermes were

Remouing of prisoners, or Records.

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were issuing and payable, in such like maner and soyme, as he ought oꝛ might haue done, if such person oꝛ persons (by whose death the aforesaid estate in the said rents and fee fermes was determined) had bin in full life and not dead, And the auowry foꝛ the taking of the same distresse shalbe made in maner and soyme aforesaid. 32. H.8.37.

1 A lise of rent issuing forth of tenements in seuerall Counties, shall bee holden in the borders of the same counties. S. Assise 7.

2 How mesne Lord shalbe answered their chiefe rents due to them during the minoritie of the Kings ward. S. Wards 17.

Remouing of prisoners, or Records.

NO Writts of Habeas corpus, oꝛ Certiorari, shall be graunted to remone any prisoner out of any Gaole, oꝛ to remone any Recognisance, except the same writs be signed with the proper hands of the chiefe Justice, oꝛ in his absence of one of the Justices of the Court, out of the which the same writs shall be awarded oꝛ made, vpon paine that he that writteth any such writs, not being signed as is aforesaid, to foꝛfelt to the Queene foꝛ euerie such writ fine pounds. 1. & 2. Ph. & Ma. 13.

A writ to remone prisoners oꝛ te. toꝛds.

2 The Justices of the Kings Bench (foꝛ the time being) haue authoritie by their discretions, to remaund and send dōwne as well the bodies of all felons and murderers remoued oꝛ brought befoꝛe the King in his bench, as their indictments, into the Counties whereas the same murders oꝛ felonies haue bin committed and done, and to command all Justices of Gaole deliuerie, Just. of peace, and all other Justices and Commissioners, and euerie of them, to proceed and determine vpon all the aforesaid bodies and indictments so remoued, after the course of the common Law, in such manner, as the same Justices of Gaole deliuerie, Justices of peace, and other commissioners, oꝛ any of them mought oꝛ should haue done, if the said prisoners oꝛ indictments had neuer bin brought into the Kings Bench. Anno 6. H.8.6.

Remaunding of prisoners out of the R. bench into the Countie to be tried.

3 No Writ oꝛ Writts of Habeas Corpus, oꝛ any other Writ oꝛ writs sued foꝛth, oꝛ to be sued foꝛth, by any person oꝛ persons whatsoever, out of any her Maiesties Courts of Record at Westmister, to remone any Action, suit, plaint, oꝛ cause, depending, oꝛ to be depending, in any Court, oꝛ Courts, within any Citie, oꝛ Towne corporat, oꝛ elsewhere, which haue oꝛ shall haue Jurisdiction, power, oꝛ authoritie, to hold plea in any action, plaint, oꝛ suit, shall be receiued oꝛ allowed by the Judge oꝛ Judges, oꝛ Officer oꝛ Officers, of the Court, oꝛ Courts, wherein, oꝛ to whom any such writ oꝛ writs shalbe deliuered, but he and they shall and may proceede in the said cause & causes, readie to be tried, as though no such writ oꝛ writs were sued foꝛth oꝛ deliuered to him oꝛ them: Except that the said writ oꝛ writs bee deliuered to the Judge oꝛ Judges, Officer oꝛ Officers of the said Court, befoꝛe that the Iurie, which is to trie the cause in question betweene the partie oꝛ parties plaintifes, and the partie oꝛ parties that sued foꝛth the said writ, oꝛ writs, oꝛ foꝛ whose benefit the said writ oꝛ writs is oꝛ shalbe sued foꝛth, haue appeared, and one of the said Iurie swoꝛne to trie the said cause. 34. El. 5. 1. Jac. 2. 5. To continue untill the end of the first Session of the next Parliament.

Remouing a suit out of a town corporat

1 Where the body of one in execution being remoued by Corpus cum causa, shall be remaunded. S. Corpus &c. 1.

2 For the remouing of a Repleg. out of the Countie by Recordare. S. Replewin 2.

Replewin

Repleuin.

Repleuin.

Who shall re-
pleuin a dis-
tresse.

If any mans cattell be taken, and wrongfully withholden, the Sherife after complaint to him made, may deliuer them, without any let or contradiction of him that toke the cattell, if they were taken out of liberttes, and if the cattell were taken within any libertties, and the bailifes of the libertties will not deliuer them, then the Sherife for default of those bailifes, shall cause them to be deliuered. Marl. 52. H.3.21.

Recordare.

2 If any Lords doe distraine their tenants for any seruices or customes being due vnto them, and the tenants doe repleunie the distresse by writ, or without writ, and the Lords (at the complaint of the tenants) do by attachment come to the countie, or other Court, hauing power to hold plea De verito namio, and doe anow their distresse reasonable and iust, if the tenants doe disanow to hold, or doe claime to hold nothing of him which tooke the distresse, if such Lords in the Countie or other Courts nannot obtaine iustice of their tenants, but shall be amerced, and their tenants discharged, for that they cannot be punished for the same disanowing by record of that Countie, or other Courts, hauing no record: as soone as they shall be attached at their tenants suit, a writ shall be granted vnto them to remoue the suit befoze the Iustices, befoze whom (and not elsewhere) iustice shall be ministred to such Lords, and the cause shalbe deliuered in the writ (because such a man hath distrained in his fee for seruices and customes due vnto him) yet this statute is no derogation to the law commonly bled, which doth not suffer any plea to be remoued befoze the Iustices, at the suit of the defendant. For though at the first shew the tenant seemeth to be plaintife, and the Lord defendant, yet hauing respect to that the Lord doth distraine and sue for his seruices and customes behind, he shall rather appeare plaintife then defendant. West.2. 13.Ed.1.2.

Pledges to
prosecute the
suit, and to
make returns.

3 Least that after the tenant hath repleuned his beasts, he should sell them, or bzieue them farre off, whereby the Lord which distraineth cannot haue returne if it be abindged for him, the Shirife or his Baylifes shall not take of the plaintifes pledges onely to prosecute their suit befoze they make deliuerance of their beasts, but also to returne them, if returne be awarded. And if any do take pledges in other sort, he shall answer the price of his cattell, and the Lord which distraineth shall haue his reuerie by writ, and he shall deliuer him so many beasts or cattell, and if the Bailife haue not therewith to satisfie, his Lord shall pay it. West.2.13.E.1.2. S. Second Deliuerance.

A distresse taken
vpon a
suit commen-
ced, by the pro-
curement of
others.

4 If the Lord of Courts, or other Court holders or Stewards willing to trouble those which be in subiection vnto them, hauing no lawfull cause or meanes to griene them, will procure others to commence suits against them, and doe giue gages, offer pledges, or purchase writs, and at the suit of such plaintifes will cause them to resort vnto the Countie, Hundred, Wapentake, and other Courts, vntill they haue paid them a fine, according to their owne request, which is not lawfull to be done: Wherefoze in this case, if any man bee attached by any such false complaints, hee shall Repleunie his Distresse so taken, and remoue the Suit befoze the Iustices, befoze whom if the Shirife, or any other Bailife or Lord (after the partie so distrained hath framed his complaint) will anow the distresse iust by reason of any such complaints befoze them made: And if it be replied, that the complaints were maliciously moued against them, at the instance or procurement of the Shirife or other Bailife or Lords, the replication shall be admitted, and if they be thereupon convicted, they shall pay a grienous amercement to the King, and answer to the partie griened treble dammages. Westm.2. 13.Edw.1:37. S. Auowric.

1 How many deputies euerie Shirife shall ordaine to make Repleuies, and where.
S. Shirifes 22.

2 Where the Shirife shall direct his Precept to the Bailife of a Libertie, and where
he himfelfe shall repleuie a distresse. S. Shirifes 30.

In what case an accomptant is not repleuifable. S. Accompt 2.

Restitution.

If any Felon or Felons doe rob or take away any money, goods, or cattels, from any of the B. Subiects, from their person, or otherwise within this Realme, and thereof be indicted, and after be arraigned of the same felonie, and found guiltie thereof, or otherwise attainted by reason of euidence given by the partie so robbed, or owner of the said money, goods, or cattels, or by any other by their procurement: then the partie so robbed or owner shall be restozed to his said Money, Goods, and Cattels. And as well the Just. of Gaole deliuerie, as other Iustices befoze whom any such felon or felons shall be found guiltie, or otherwise attainted by reason of euidence given by the parties so robbed, or owner, or by any other, by their procurement, haue power to award from time to time, writs of Restitution for the said money, goods, and cattels, in like maner, as though any such Felon or Felons were attainted at the suit of the partie in appeale. 21. H. 8. 11.

Restitution of
stollen goods,
after the at-
tainer of the
felon.

Returne of Shirifes.

They which doe feare the indirect dealing of Shirifes, may deliuer their originall and iudiciall Writs in the open Countie, or in some other place of the Shire, where collection of the Kings money is made, and may take a Bill of the Shirife or Under Shirife, being present, in which shall be contained the names of the demandants and tenants named in the Writ, and vpon his request which deliuered the Writ, the Shirife or Under Shirifes seale shall be put to the Bill for a witnesse (without any thing taking therefoze. 2. Edw. 3. 5.) And mention shall be made of the day of the deliuerance of the writ. And if the Shirife or Under Shirife will not put his Seale to the same Bill, witnesse shall bee taken of knights and other credible persons which bee present, the which shall put their Seales to the same Bill, and if the Shirife will not returne Writs deliuered vnto him, and thereupon complaint be made to the Iustices, a Iudiciall Writ shall be directed to the Iustices of Assise, that they shall enquire by those that were present when the Writ was deliuered vnto the Shirife, if they knowe of the deliuerance, which Inquisition shall be returned. And if it bee found thereby, that the Writ was deliuered vnto him, dammages shall be awarded to the Plaintife or Demaundant, hauing respect to the quantitie and qualitie of the Action, and to the perill which might haue chaunced vnto him by the delay which he suffered. (And also the Iustices of Assise haue power to enquire thereof at enery mans complaint, and to award dammages vt supra &c. 2. Edwardi 3. 5.) And by this meane remedy shall bee had when the Shirife doth returne, that the Writ came too late, where by he could not execute the Kings commandement. Westminster 2. 13. Edward. 1. 39. And such Execution shall be done of them that make false returnes of writs, whereby right is deferred, with the like paines. 28. Edward. 1. 16. S. Shirifes 10. That enerie Shirife shall make a Deputie in the Chancerie, Kings Bench, Common Place, and Exchequer, to receiue all writs and warrants to be deliuered vnto them.

The manner
how writs
shall be deliue-
red to be exe-
cuted.

Deputies to
receiue writs.

2 If the Shirife doe returne, that hee hath commanded the Baylifes of some liberty,

Returne of Sherifes.

libertie, which did nothing therein (where indeed there is no such libertie within that Countie, which euer had returne of writs) then the Shirife shalbe punished as a disinheritor of the R. and his crowne. West. 2.13. Ed. 1.39.

Precept directed to the bailiffs of a libertie.

3 If the Shirife doth returne, that he hath directed his precept to the Bailifes of some libertie (which indeed haue returne of writs) which did nothing therein, then the Shirife shalbe commanded, that he shall not omit for any libertie aforesaid, but shal execute the R. commandement, & that he shal warne the Bailifes to whom they returned the writ, that they shall appeare at a day contained in the writ to answer why they did not execute the R. precept. And if they doe appeare at the day, and doe acquit themselves, that the writ was not returned vnto them, the Shirife shall bee forthwith condemned to the Lord of the same libertie, & likewise to the partie grieved by the delay, to restore him damages. But if the bailifes do not appeare, or doe appeare, and doe not acquit themselves in forme aforesaid, in every iudiciall writ, so long as that suit dependeth, the Shirife shall be commanded, that he spare for no libertie &c. West. 2.13. E. 1.39.

Non omittat propter aliquam libertatem.

Returning of issues.

4 If the Shirife doe returne no issues, or small issues, where hee may returne greater, if the Plaintiffe will desire to heare the Shirifes returne, hee shall, and if he will offer to proue that the Shirife might haue returned greater issues to the King, he shall haue a Iudiciall writ to the Iustices of Assise, that they shall enquire in the presence of the Shirife (if he will be present) of what, and how great issues the Shirife might haue made his returne, from the day of the writ purchased, vnto the day contained in the writ (videlicet, of the returne thereof) and when the inquisition is returned, if he haue not lawfull answer before, hee shall be charged with the onerplus, by the excreats of the Iustices deliuer into the Exchequer, and neuerthelesse shall be grievously amerced. And the Shirife ought to know that Rent, Corne in grange, and all moueables, besides hoise, apparell and household stuffe are contained vnder the name of issues. Westminster 2, 13. Ed. 1.39. S. Iurors 16.20.21.27.

what be issues.

Resistance in executing the Kings writs.

5 The Sherife ought not to returne that he could not execute the Kings precept, by resistance of the power of any Nobleman, for that returne tendeth to the dishonour of the King and his Crowne, for as soone as his Underbailifes doe certifye that they found such resistance, the Shirife forthwith (all businesse set apart, taking with him the power of his Countie) shall goe in his owne person to doe execution, and if he find his Underbailifes false, he shall imprison them (that other men may be warned by their punishment.) And if he finde them true, hee shall imprison the resister, from which prison they shall not bee deliuered, without the Kings speciall commandement. And if the Shirife at his comming doe finde such resistance, hee shall certifye the Court of the names of the resisters, their aidors, consentors, commandors, and fauourers, which shall be attached by a iudiciall writ, to appeare at the Kings Court, and if they be convicted of such resistance, they shall bee punished at the Kings pleasure. But no officer of the Kings shall meddle in assigning of the foresaid punishment, for the king onely shall doe it, for such resisters are disturbers of his peace and Realme. West. 2.13. Ed. 1.39. S. Distresse 4.

Indenture betwixt the Shirife & bailiffe of franchise of every returne.

6 There shall bee an Indenture made betwixt the Waplife of the Franchise which hath full returne of writs by his proper name, and the Shirife his proper name, of euery returne which the Bailiffe of any such Franchise shall make to the Shirife. And if the Shirife doe change the returne so deliuered vnto him by Indenture, and thereof bee attained at the suite of the Lord of the same Franchise, from whence hee hath received the said returne (if the Lord haue received any damage, or if his Franchise be impaired) and at the suit of the partie which hath received losse by this meanes, hee shall bee punished by the King for his false returne

returme, and also shall yeeld to the Lord and the partie double dammages. Stat. Eborum 12. Ed. 1. 5.

7 Shirifes and other Baylifes which receiue the Kings writs, returnable into his Court, shall put their owne names to the returnes, so that the court may know of whom they take such returne, if need be, and if any Shirife or other Bailife doe leave out his name in his returne, he shall be grievously amerced to the R. ble. Stat. Eborum 12. Ed. 1. 5.

8 A man shall haue Auement against the false returnes of Baylifes of Fraunchises, which haue full returne of writs, and recouer as well against them, as against the Shirife, as well of small issues returned, as in other cases, so that it be not prejudiciall to the Lords, nor to the impairing of their Fraunchises, and that the estate of holy Church be saved, for the punishment shall fall onely vpon the Bailifes by the punishment of their bodies, if they haue not wherewith to answer. 1. Ed. 3. 5.

9 If any Shirife, or other hauing authoritie to returne writs, both make an untrue returne vpon any Capias, in a writ of Excommunicato capiendo to him directed, that the partie named in the writ hath not yeelded his bodie vpon any Proclamation made, where in deed he hath yeelded himselfe according to the effect thereof, he shall forfeit to the partie grieved xl. l. to be recovered by A. B. P. J. wherein no W. C. P. 4c. 5. El. 23. S. Excommunication.

10 Vpon any bill, information, or action exhibited or sued against any person being sufficient, vpon the Statute provided 8. Ed. 4. against giuing of Liveries or badges, or vnlawfull retaining, if the Shirife or Coroner doe returne any lesse issues vpon the defendant than xx. s. at the first day of the distresse, at the second day xx. s. at the third day xl. s. and so at euery day after, 1. Shillings more, he shall forfeit for euery returne made against the forme aforesaid xx. Shillings. 8. Ed. 4. 2. S. Shirifes.

11 The chiefe officer or officers of euery of the R. Courts of reuenue, being of Record, or that shall be of Record, shall haue authoritie to set and asseesse reasonable fines and amerciaments vpon any Shirife or Shirifes for not returning or misreturning of any writ to them directed and deliuered out of any of the same Courts, concerning the leuying or answering of any of the said issues, rents, or reuenues, or of any debt due to the R. in such sort, and after such manner and forme, as now is, or heretofore hath bene lawfully used in the like, and such other cases in the R. Court of Exchequer. 7. Ed. 6. 1.

1 What Iurors, and of what sufficiencie, the Shirife in seuerall cases shall returne, and vpon what paine. S. Iurors 12, 13, 14. 16. 19. 20.

2 The sherifes for. for not returning of a Proclamation sent vnto him in any of the xij. shires in Wales, or counties of Lancaster or Chester. S. Exigent 8.

Riots, Routs, Vnlawfull assemblies.

If any Riot, Assembly, or Rout of people, against the law be made in any part of the Realme, the Iustices of P. thre or two of them at the least, and the Shirife, or Undershirife of the Shire where such Riot, Assembly, or Rout shall be made, shall come with the power of the Countie (if need be) to arrest them. And the same Iustices, Shirifes, or Undershirifes, shall haue power to record that which they shall find done in their presence against the Law, and the same trespassors and offenders shall be conuict by the record of the same Just. Shirife, or Undershirife, in manner and forme as is contained in the Statute of Forcible entries. 17. R. 2. 8. 13. H. 4. 7. S. Forcible entrie 2.

2 If it happen that such trespassors and offenders be departed before the coming of the Iustices, the Shirife shall arrest those which commit riots.

Et t

ming

Riots, Routs, Unlawfull assemblies.

ming of the said Iustices and Sherife of Undershire, the same Iustices, three or two of them, shall diligently enquire within a moneth after such riot, assemble, or rout of people so made, and the same shall heare and determine according to the law of this Realme. 13.H.4.7.

Certifying of
the riot to the
K. and his
Councell.

3 If the truth cannot be found in maner aforesaid, then within a moneth next after, the same Iustices, three or two of them, and the said Sherife of Undershire, shall certifie befoze the King and his Councell, of the whole fact, and the circumstances thereof, which certificat shall be of the same force that a presentment by twelve men is, upon which certificat the said trespassers and offenders shall be put to answer, and they which shall be found guiltie, shall be punished by the discretion of the King and his Councell. And if the same trespassers and offenders doe traverse the matter so certified, the same Certificat and Traverse shall be sent into the Kings Bench, there to be tried and determined according to the order of the law. 13.H.4.7.

Traverse of
the Certificat

Process a-
gainst the of-
fenders.

4 If the same trespassers and offenders do not come befoze the K. and his councell, or into the K. Bench at the first precept, then another precept shall be directed to the Sherife of the Shire, to take the said trespassers and offenders, if they may be found, and to bring them at a certaine day befoze the K. and his Councell, or into the K. Bench. And if they cannot be found, the Sherife of Undershire shall make proclamation in his full Countie, next ensuing the delivrie of the said second precept, that they shall appeare befoze the K. and his Councell, or in the K. Bench (or in the Chauncerie in the time of vacation) within three weeks then next following. And if the offenders doe not appeare as is aforesaid, and the proclamation be made and returned, they shall be attainted and convicted of the riot, assemble, and rout aforesaid. 13.H.4.7.

The for. of
the Iustices
which doe not
execute this
Statute.

5 The Iustices of peace which dwell nearest in every Countie where such riot of people shall be, together with the Sherife of Undershire of the same countie, and also the Just. of Assise, for the time that they shall be in their Sessions (in case any such riot, assemble, or rout be made in their presence) shall do execution of this Statute, upon paine of a C.P. to be paid to the K. as often as they shall be found in default of execution of the same Statute. 13.H.4.7.

Commissioners
to enquire of
the Iustices &
Sherifes de-
faults.

6 If default be found in the said two Iustices of peace, or Iustices of Assise, and the Sherife of Undershire of the Countie where such riot, assemble, or rout shall be made, touching the execution that they ought to make by vertue of the said Statute, and whereof the said Statute maketh mention: Then at the instance of the partie grieved, the K. commission shall go out under the great Seale, to enquire as well of the truth of the case, and of the original matter for the partie complainant, as of the default or defaults of the said Iustices, Sherife of Undershire, in this behalfe supposed, to be directed to sufficient and indifferent persons, at the nomination, and by the aduice of the Chauncel. of England. And the said commissioners incontinent shall send into the Chauncerie the enquests and matters befoze them in this behalfe taken and found. 2.H.5.8.

Upon the com-
mission the
Coroner shall
returne the
Jurie.

7 The Coroners of the same Countie for the time being, in which Countie such riot, assemble, or rout, shall be made, shall make the panell upon the said Commission, returnable, for the time that the Sherife so supposed in default shall remaine in his office, which Coroners shall returne no persons, but onely such which have lands, tenements, or rents, to the value of x.l. by the year at the least. And also the same Coroners shall returne upon everie of the said persons impanelled at the first day, when issues be to be lost, xx. s. at the least, at the second day xl. s. at the least, and at the third day C. s. at the least, and at every day after, the double at the least, which issues so returned because of non-appearance of such persons impanelled, shall be for. to the King, and leivable to his use. And if default be found in the said Coroners,

Riots, Routs, Unlawfull assemblies.

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roners, touching the returne of such persons to be impanelled, or touching the returne of such Issues, as afoze is said, euery of them shall pay to the R. v. l. p. 2. H. 5. 8.

8 And if the said Sherife so reputed in default, be discharged of his office at the time that such Commission shall go out of the Chauncerie, then the new Sherife of the same countie, his successor, mediat or immediat, and not the Cozoners, shall make the panel vpon this commission, returnable in maner and forme, as the said Cozoners should do in time when the Sherife so reputed in default stood in his Office. And the same new Sherife shall incurre like paine of R. l. p. to the R. if any default in him be found, touching the returne of other persons by him impanelled, which haue not lands, tenements, or rents, to the value of R. l. p. by yeare, or of returning such issues as the said Cozoners be aboue charged to returne, as the said Cozoners be to lose to the R. in this behalfe. 2. H. 5. 8.

where the Sherife and not the Cozoners shall returne a Justie

9 The Chancelor of England, as soone as he may haue knowledge of such riot, assemble, or rout, shall cause to be sent the R. writ to the J. of peace, and to the Sherife, or Undersherife of the countie where they be so made, that they shall put the foresaid Statute of 13. H. 4. in execution, vpon the paine contained in the same. And though that such writ come not to the said Justices, Sherife, or Undersherife, they shall not be excused of the paine afozesaid, if they make not execution of the said Statute. 2. H. 5. 8.

A writ directed to the J. of peace and to the Sherife of the Countie

10 The Justices and other Officers afozesaid, shall do their offices afozesaid, at the R. costs, in going, tarping, and returning, in doing their said offices, by payment thereof to be made by the Sherife of the same Countie for the time being, by Adventure betwixt him and the same Justices, and other officers afozesaid, to be made of the payment afozesaid, whereof the said Sherife vpon his accompt in the Exchequer, shall haue due allowance. 2. H. 5. 8.

Riot shall be repayed & enquired of at the R. costs.

11 Such Rioters attainted of great and hainous Riots, shall haue one whole yeares imprisonment at the least, without being let out of prison by bayle, mainprise, or in any other manner during the yeare afozesaid, and the riotors attainted of petite riots, shall haue imprisonment as the King and his Councell shall thinke good. 2. H. 5. 8.

The punishment of Riots.

12 The Kings liege people being able to trauell in the countie where such Riots, Assemblies, or Routs be, shall be assistant to the Justices, Commissioners, Sherife, or Undersherife of the same countie, when they shall be reasonably warned, to ride with the said Justices, Sherife, &c. in aid to resist such Riots, Routs, and assemblies, vpon paine of imprisonment, and to make fine and rancome to the King. 2. H. 5. 8.

Each man shall helpe to resist Riots.

13 The Bailifes of Franchises shall impanel sufficient people as before, vpon paine to loose to the R. l. p. in case that such sufficient persons may be found within the said Franchises. And like ordinances and pains shall hold place and take effect in cities, boroughes, and other places and townes infranchised, which haue Justices of peace within them. 2. H. 5. 8.

Bailifes of Franchises.

14 If any riot, rout, or unlawfull assemble be committed within this realme, the Sherife having a Precept directed to him, shall returne xxiij. persons dwelling within the Shire, where such Riots &c. shall be so committed, whereof euery of them shall haue lands and tenements within the same Shire, to the yearly value of xx. s. of charter land or freehold, or xxvj. s. big. s. of copyhold, or of both, aboue all charges, for to enquire of the same riot &c. And he shall returne vpon euery person so by him impanelled in issues at the first day xx. s. at the second R. l. s. (if that they appeare not and be swozne to enquire of the premises at the first day.) And if default be found in the Sherife or Undersherife, for returning of other persons not being of the said sufficiencie, for not returning issues in forme afozesaid, then the

Riots in Cities & townes copyhold.

A Justie to inquire of Riots.

Riots, Routs, Unlawfull assemblies. Robberie.

said Sheriffe shall forfeit to the King for either xx. l. 19. H. 7. 13.

Maintenance
by a riot
is not found
by the Jurie.

15 If the said Riot, Rout, or unlawfull assembly be not found by the said Justices, and the Sheriffe or Undersheriffe (besides such Certificat that they be bound to make according to the foresaid Statute of 13. H. 4.) shall in the same Certificat certifie the names of the maintainers and imbracers in that behalfe (if any be) with their misdemeanors that they know, upon paine of every of the said Justices and Sheriffe or Undersheriffe, to forfeit xx. l. if they have no reasonable excuse, for not certifying of the same, which certificat so made, shall be of like force and effect in the law, as if the matter contained in the same were duely found by the verdict of the men: And every person duely proved to be a maintainer, or imbracer of the same, shall forfeit to the King xx. l. and shall be committed to ward, there to remaine by the discretion of the Justices. 19. H. 7. 13.

The punish-
ment of the
maintainers &
imbracers.

Robberie.

Taking a-
way any per-
son against
his will.

Whosoever shall at any time hereafter, without lawfull authoritie, take any of her Majesties Subjects against his or their will, or wills, and carie them out of the Counties of Cumberland, Northumberland, Westmerland, and the Bishopricke of Durham, or to any other place within any of the said Counties, or detaine, force, or imprison him, or them, as prisoners, or against his, or their wills, to ransom them, or to make a prey or spoyle of his or their person or goods, upon deadly feud, or otherwise: Or whosoever shall be private, consenting, ayding, or assisting unto any such taking, detaining, carrying away of any such person or persons prisoners as aforesaid: Or whosoever shall take, receive, or carie, to the use of himselfe, or willingly to the use of any other, any money, coine, cattell, or other consideration commonly called Blacke mayle, for the protecting or defending of him or them, or his or their lands, tenements, goods, or chattels, from such thefts, spoiles, and robberies, as is aforesaid: Or whosoever shall give any such money, coine, cattell, or other consideration, called Blacke mayle, for such protection as is aforesaid: Or shall wilfully, and of malice burne, or cause to be burned, or ayde, procure, or consent to the burning of any Barne, or Stacke of Coine, or Graine, within any of the said Counties, or places aforesaid, and shall be of the said severall offences, or of any of them indicted, and lawfully convicted, or shall stand mute, or shall challenge peremptorily above the number of twentie, before the Justices of Assises, Justices of Gaole delivrie, Justices of Oyer and Terminer, or Justices of Peace within any of the said Counties, at some of their generall Sessions within some of the said Counties to be holden, shall be reputed, adiudged, and taken to be as Felons, and shall suffer death, without any benefit of Clergie, Sanctuary, or Abiuration, and shall forfeit as in case of Felonie. 43. Eliz. 13.

Ayding or as-
sisting to the
detaining of
any other.
Receiving or
carrying of
Blacke mayle.

Setting of
Blacke mayle,
Burning of
Barnes, or
Stackes of
Coine.

The names
of Outlawes
shall be deliv-
ered to the
Sheriffe.

Proclamation
of the Out-
lawes.

2 Curie Clerke of the Peace within everie of the said Counties, shall within the space of two Moneths next after any Outlawie within any of the said Counties, deliver, or cause to be delivered, by writing under his hand, the names of all and everie such as are, or shall be hereafter outlawed within their severall Counties (for Murders, Robberies, Burglaries, or other Felonies,) to all and everie the Sheriffes of the said severall Counties. And all and everie the said Sheriffes shall proclaim and publish them to be outlawed in their severall Countie Courts, and in the Citie of Carlisle, the Townes of Penrith, and Cokermouth in the Countie of Cumberland, and in the Townes of Appulby, and Kendall, in the Countie of Westmerland, and in the Towne of Newcastle upon Tyne in the Countie of the Towne of Newcastle upon Tyne, and in the Townes of Spozpeth, Alne, and Wike,

wike, and Heram in the Countie of Northumberland, and in the Citie of Durham, and Townes of Darlington, Bishop Awkland and Barnard Caste within the Bishopricke of Duresme, and in the Towne of Berwicke vpon Twede. And the said Sherifes having notice, as aforesaid, shall from time to time once in the Moneth, at their Countie Court, proclaime everie of the said persons so outlained, untill they shall yeeld their bodies to Prison. And likewise the Mayors, Baylives, Aldermen, and other chiefe Officers within the said severall Cities and Townes, shall proclaime the like at everie Fayre or Fayres to be kept within the said Cities and Townes, and once everie fire weekes at their Markets. 43. Eliz. 13.

3 If any person or persons inhabiting within any of the said severall Counties, shall wittingly and willingly have conference, talke, or in any sort shall relieue, entertaine, or confesse with any such person or persons so outlained, or hereafter to be outlained, for any such Murders, Robberies, and Burglaries, or other Felonies, having knowledge of the same Outlawries, by reason of the same Proclamation, or otherwise, and then shall not with convenient speed doe his best endeavour to take and arrest any such person or persons so Outlained, or to be Outlained, as is aforesaid, he shall suffer imprisonment by the space of fire Moneths, without bayle or mainprize, and be bound with two sufficient Sureties for his good behaviour for the space of one yeare after, before he be enlarged of his imprisonment. 42. Eliz. 13.

Relieving or conferring with any outlawed for felonies.

4 The Justices of Assise within any of the said Counties, Justices of Gaole deliverye, Justices of Oyer and terminer, or Justices of peace within any of the said Counties, at any of their generall Sessions, shall have authoritie by this Act, to inquire, heare, and determine of the offences & defaults of the said Sherifes, Mayors, Bailives, Aldermen, & other Officers, and of the Clerks of Peace within the said Counties, & proceed against them by Information, or Indictment, & punish them by fine, imprisonment, or otherwise, as they shall thinke fit. 43. Eliz. 13.

Inquarie and punishment of offenders.

5 This Act shall not extend to abridge or impeach the iurisdiction or authoritie of any the Lords Wardens of any the Marches of England, for and against Scotland. 43. Eliz. 13.

1 Clergie taken from those which commit any Robberie. S. Clergie 13.

Rome, &c.

If any person or persons, dwelling, inhabiting, or resident within this Realme, or any other the Queenes Dominions, &c. or elsewhere, within or under her obedience of what estate, dignitie, condition, preheminance, or degree soever he or they be, shall by writing, ciphring, printing, preaching, or teaching, deed or act, advisedly and wittingly, hold, or stand with, to extoll, set forth, maintaine, or defend the authoritie, iurisdiction, or power of the Bishop of Rome, or of his See, heretofore claimed, used, or usurped within this Realme, or in any Dominions or Countrie, being of, within, or under the power or obedience, or by any speech, open deed, or act, advisedly, and wittingly, attribute any such manner of iurisdiction, authoritie, or preheminance to the said See of Rome, or to any Bishop of the same See for the time being within this Realme, or in any the Queenes dominions or Countries: Then everie such person or persons so doing, or offending, their abettors, procurers, and counsellors, and also their aydoers, assistants, and comforters, upon purpose, and to the intent to set forth, further, and extoll the said usurped power, authoritie, or iurisdiction of any of the said Bishop or Bishops of Rome, and everie of them, being thereof lawfully indicted, or presented, within one yeare next after any such offences by him or them committed, and being lawfully

Maintaining the authoritie of the Bishop of Rome.

Itt is

fully

Rome, &c.

The second offence.

No corruption of blood.

Relieving the offenders.

Giving or taking absolution by any Bulls from Rome.

Obtaining of Bulls from Rome.

The forfeit of aydoers, comforters, and maintainers, after the offences committed.

fully convicted or attainted at any time after, according to the Lawes of this Realme, for everie such default and offence, shall incurre into the dangers, penalties, paines, and forfeitures, ordained and provided by the Statute of Provision and Præmunire made 16.R.2. And if any such offender after such conviction and attainder as is aforesaid, doe afterwards commit, or doe the said offences, or any of them, in maner & forme aforesaid, and be thereof duely convicted and attainted as is aforesaid: Then every such offender shall suffer and suffer such paines, forfeitures, judgement, and execution, as is used in cases of high Treason. But this Act, or any attainder to be had by force thereof, shall not extend to make any corruption of blood, the disheriting of any heire, forfeiture of Power, nor to the prejudice of the right or title of any person or persons, other then the right or title of the offender or offenders, during his, her, or their naturall lives onely. And it shall and may be lawfull to every person or persons, to whom the right or interest of any lands, tenements, or hereditaments, after the death of any such offender or offenders, should or might have appertained, if no such attainder had bene, to enter into the same without any Ouster le maine to be sued, in such sort, as he or they might have done if this Act had never ben had ne made. But charitable giving of reasonable almes to any of the offenders above specified, without fraud or covin, shall not be taken to be any such abetment, procuring, counselling, aiding, assisting, or comforting, as thereby the giver of such almes shall incurre any paine, penalty, or forfeiture appointed in this Act. 5.El.1.S.Iust. of P.9.

2 If any person or persons shall be, or put in bye, in any place within this Realme, or in any the Queenes Dominions, any Bull, writing, or instrument, written or printed, of absolution, or reconciliation, obtained from the Bishop of Rome, or any his successors, or from any other person or persons authorized, or claiming authority, by, or from the said Bishop, his predecessors, or successors, or See of Rome: Or if any person or persons shall take upon him, or them, by colour of any such Bull, writing, instrument, or authority, to absolve, or reconcile any person or persons, or to graunt, or promise to any person or persons within this Realme, or any other the Queenes Dominions, any such absolution, or reconciliation, by any speech, preaching, teaching, writing, or any other open deed: Or if any person or persons within this Realme, or any the Queenes Dominions, shall willing receive, and take any such absolution, or reconciliation: Or else if any person or persons have obtained or gotten since the last day of the Parliament, holden Anno 1. Eliz. or shall obtaine, or get, from the said Bishop of Rome, or any his successors, or See of Rome, any maner of Bull, writing, or instrument written, or printed, containing any thing, matter, or cause whatsoever, or shall publish, or by any waies or meanes put in bye any such Bull, writing, or instrument: Then all and everie such act and acts, offence and offences, shall be deemed & adjudged to be high Treason, and the offender & offenders therein, their procurers, abettors, and counsellors to the fact, & committing of the said offence or offences, shall be deemed and adjudged high Traitors to the Queene and the Realme, and being thereof lawfully indicted and attainted, according to the course of the Lawes of this Realme, shall suffer death, and forfeit all their lands, hereditaments &c. and cattells, as in cases of high Treason by the Lawes of this Realme ought to be lost and forfeited &c. 13.El.2.

3 All and everie aidors, comforters, or maintainers of any of the said offender or offenders, after the committing of any of the said acts or offences, to the intent to set forth, uphold, or allow the doing, or execution of the said usurped power, jurisdiction, or authority, concerning the premises, or any part thereof, shall incurre the paines and penalties contained in the Statute of Præmunire made 16.R.2. 13.El.2.

4 If any person or persons to whom any such absolution, reconciliation, Bull, Concealing of
writing, or instrument, as is aforesaid, shall be offered, moved, or persuaded to absolution or
be blessed, put in use, or executed, shall conceale the same offer, motion, or persuasi- Bull offered.
on, and not disclose and signifie the same by writing, or otherwise, within five
weekes then next following, to some of the Quenes priue Councell, or else to the
President or Vicepresident of the Quenes Councell established in the North, or in
the Marches of Wales, for the time being: When the same person or persons so
concealing &c. shall incurre the penaltie and forfeiture of misprision of high Treason. Misprision.
But no person or persons shall be troubled in, or for misprision of Treason,
for any offence made Treason by this Act, other then such as by this Act before are
declared to be in case of misprision of high Treason. 13. El. 2.

5 If any person or persons shall at any time bring into this Realme, or any the Agnus Dei,
Dominions of the same, any token or tokens, thing or things, called by the name crosses, pi-
of an Agnus Dei, or any crosses, pictures, beads, or such like vaine and superstiti- ctures.
ous things from the Bishop, or See of Rome, or from any person or persons, au-
thorized, or claiming authoritie by or from the said Bishop, or See, to consecrate or
hallow the same, If the same person shall deliuer, or cause, or suffer to be deliuered
the same, or any of them, to any subject of this Realme, or of any the Dominions
of the same, to be worn or used in any wise: When as well the same person and
persons so doing, as also all and euery other person or persons which shall receiue
and take the same, to the intent to use or weare the same, being thereof lawfully
conuicted and attainted by the order of the Common Lawes of this Realme, shall
incurre into the daungers, penalties, paines and forfeitures ordained and prouid-
ed by the Statute of Præmunire and Prouision, made 16. Rich. 2. Saving to all Other mens
and euery person and persons, and bodie politike and corporat, their heires and suc- rights saved.
cessors, other then the said offenders, and their heires, and such person and persons
as claime to any their uses, all such rights, titles, interests, possessions, leases,
rents, reuerfions, offices, fees, hereditaments, &c. as they or any of them shall haue
at the day of the committing such offence or offences, or any time before, in as large
and ample maner, as if this Act had neuer bin had nor made: Any thing herein &c.
notwithstanding. 13. El. 2.

6 If any person or persons to whom any such Agnus Dei, or other the things Apprehen-
aforesaid shall be tendered, and offered to be deliuered, shall apprehend the party so ding the offen-
offering the same, and bring him to the next Justice of Peace of that Shire where der, or disclo-
such tender shall be made (if he shall be able so to doe) or for lacke of such abilitie, sing his name.
shall within three dayes next after such offer made, disclose the name and names,
and dwelling place or places of resort of the person or persons which shall make
such offer (which he shall indenuour himselfe to know by all the meanes he can) to
the Ordinarie of that Diocesse, or to any Justice of Peace of that Shire, where
such person or persons to whom such offer shall be made shall be resident: And also
if such person or persons to whom such offer shall be made, shall happen to receiue
any such Agnus Dei, or other thing aboue remembred, and shall within the space of
one day next after such receipt, deliuer the same to any Justice of Peace within the
same Shire, where the partie so receiuing shall be then resident, or that shall happen to be:
Then euery such person or persons doing any the acts or things last aboue mentio-
ned, in forme aboue declared, shall not by force of this Statute incurre any danger
or penaltie appointed in this Statute, or any other paine or penaltie. 13. Eliz. 2. And
that Justice of Peace to whom any such matter shall be declared, shall disclose the
same within iiii. daies after to one of the Quenes priue Councell, or else hee shall
incurre the danger of Præmunire, prouided by the Statute made An 16. R. 2. S. Just.
of peace 103.

7 All persons whatsoeuer, which haue, or shall haue, or shall pretend to haue
power,

Rome, &c. Sacraments and Service Diuine.

withdrawing the Subjects from their obedience to the Queene. power, or shall by any waies or meanes put in practise, to absolue, perswade, or withdraw any of the Queenes Maiesties Subjects, or any within any her Highnesse Dominions, from their naturall obedience to her Maiestie, or to withdraw them for that intent from the Religion now by her Highnesse authoritie established within her Dominions, to the Romish Religion, or to move them, or any of them, to promise any obedience to any any pretended authoritie of the See of Rome, or of any other Prince, State, or Potentate, to be had or used within her Dominions: Whom shall doe any overt act, to that intent or purpose, and euery of them, shall be to all intents adiudged to be Traitors: And being thereof lawfully convicted, shall haue iudgement, suffer, and forfeit, as in case of high Treason. And if any person shall by any meanes be willingly absolued, or withdrawn, as is aforesaid, or willingly be reconciled, or shall promise any obedience to any such pretended authoritie, Prince, State, or Potentate, as is aforesaid: Then euery such person, their procurors, and counsellors thereunto, being thereof lawfully convicted, shall be taken, tried, and iudged, and shall suffer and forfeit, as in cases of high treason. 23. El. 1. S. Recusants 49.

Reconciling, or being reconciled.

Bydoers and maintainors of the offenders.

Misprision.

8 All and euery person and persons, that shall willingly be aiders, or maintainers of such persons so offending, as is aboue expressed, or of any of them, knowing the same, or which shall conceale any offence aforesaid, and shall not within twentie dayes at the furthest, after such persons knowledge of such offence, disclose the same to some Justice of Peace, or other higher Officer: shall be taken, tried, and iudged, and shall suffer and forfeit as offenders in misprision of treason. 23. El. 1. S. Trial 8.

1 The punishment of Iesuits and Priests, which come into this Realme, and of those which receiue them. S. Iesuites.

2 For Buls, Breues, Faculties, and Dispensations from Rome. S. 28. H. 8. 16.

Sacraments and Service Diuine.

Unreuerent speaking against the Sacrament.

Common Prayer, and administration of sacraments

The penaltie for using any other common prayer.

If any person shall by any contemptuous words, depraue, despise, or contemne the Sacrament of the body and blood of Christ, or speake against the receiuing thereof vnder both kinds, or shall aduisedly in any otherwise contemne, despise, or reuile the same, he shall suffer imprisonment, and make fine at the Kings pleasure. 1. Ed. 6. 1. 1. El. 1. S. Inst. of P. 8.

2 The Booke of Common Prayer and administration of Sacraments, Rites, and Ceremonies, set forth by authoritie of Parliament An. 5. & 6. Edw. 6. (with one alteration or addition of certaine Lessons to be used on euery Sunday in the yeare, and the forme of the Lettanie altered and corrected, and two Sentences onely added in the deliuerie of the Sacrament to the Communicants, and none other, or otherwise) shall stand and be in full force and effect. And all and singular Ministers in any Cathedrall or Parish Church, or other place within this Realme of England, Wales, and the Marches of the same, or other the Queenes Dominions, shall be bound to say and vse the Mattens, Cuen-song, Celebration of the Lords Supper, and Administration of each of the Sacraments, and all their Common and open Prayer, in such order and forme as is mentioned in the said Booke. And if any manner of Parson, Vicar, or other whatsoever Minister, that ought, or should sing or say Common Prayer mentioned in the said Booke, or minister the Sacraments, refuse to vse the said Common Prayers, or to minister the Sacraments in such Cathedrall or Parish Church, or other places, as hee should vse to minister the same, in such order and forme as they be mentioned and set forth in the said Booke, or shall wilfully or obstinately, standing in the same, vse

use any other rite, ceremonie, order, forme, or manner of celebrating of the Lords Supper, openly or priuily, or Mattens, Cuen-song, Administration of the Sacraments, or other open Prayers then is mentioned and set forth in the said Booke (open Prayer is meant that Prayer which is for other to come vnto, or heare, eyther in common Churches, or priuate Chappels, or Oratories, commonly called the service of the Church) Or shall preach, declare, or speake anie thing in the derogation or depauiing of the said Booke, or any thing therein contained, or of any part thereof, and shall be thereof lawfully conuicted, according to the lawes of this Realme, by verdict of twelue men, or by his owne confession, or by the notorious euidence of the fact, shall lose and forfeit to the Queenes Highnesse, her heires and successors, for his first offence, the profite of all his spirituall Benefices or promotions, comming or arising in one whole yeare next after this conuiction. And also the person so conuicted, shall for the same offence, suffer imprisonment by the space of fire moneths, without baile or maineprie. And if anie such person once conuict of anie offence concerning the premises, shall after his first conuiction eftsoones offend, and be thereof in forme aforesaid lawfully conuict: then the same person shall for his second offence suffer imprisonment by the space of one whole yeare, and also shall therefore be depriued, ipso facto, of all his spirituall promotions. And it shall be lawfull to all Patrons or Donors of all and singular the same spirituall promotions, or of any of them, to present or collate to the same, as though the person or persons so offending were dead. And if any such person and persons, after he shall be twice conuict in forme aforesaid, shall offend against any of the premises the third time, and shall be thereof in forme aforesaid lawfully conuicted: then the person so offending, and conuicted the third time, shall be depriued ipso facto, of all his spirituall promotions, and also shall suffer imprisonment during his life. 1. Eliz. 2.

The second offence.

3 And if the person that shall offend, and be conuicted in forme aforesaid concerning any of the premises, shall not be beneficed, nor haue any spirituall promotion: then the same person so offending and conuict, shall for the first offence suffer imprisonment during one whole yeare, next after his said conuiction, without baile or maineprie. And if any such person, not hauing any spirituall promotion after his first conuiction, shall eftsoones offend in any thing concerning the premises, and shall in forme aforesaid be thereof lawfully conuicted: then the same person shall for his second offence suffer imprisonment during his life. 1. Eliz. 2.

In offenders having no spirituall living.

4 If anie person or persons whatsoever, shall in any Enterludes, Playes, Songs, Rymes, or by other open words, declare or speake any thing in the derogation, depauiing, or despising of the same Booke, or of any thing therein contained, or anie part thereof, or shall by open fact, deed, or by open thyeatnings, compell or cause, or otherwise procure or maintaine anie Parson, Vicar, or other Minister, in anie Cathedraall or Parish Church, or in Chappell, or in anie other place, to sing or say any Common or open Prayer, or to minister anie Sacraments, otherwise or in anie other manner and forme, then is mentioned in the said booke, or by any of the said meanes shall vnlawfully interrupt, or let anie Parson, Vicar, or other Minister in any Cathedraall or Parish Church, &c. to sing or say Common and open prayer, or to minister the Sacraments, or any of them, in such manner and forme as is mentioned in the said booke: then euerie such person being thereof lawfully conuicted in forme aforesaid, shall forfeit to the Qu. her heires and successors, for the first offence C. markes. And if any person or persons being once conuict of any such offence eftsoones offend against any of the last recited offences, and shall in forme aforesaid be thereof lawfully conuict: then the same person so offending, and conuict, shall for the second offence forfeit to the Qu. her heires &c. 400. Markes. And if anie person, after he in forme aforesaid, shall haue bene twice conuict

Depauiing the Booke of Common prayer, or praying otherwise.

Sacraments and Service Diuine.

nit of any offence concerning any of the last recited offences, shall offend the third time, and be therof in soyme abovesaid lawfully conuict: Then euery person so offending & conuict, shall for his third offence, forfeit to the Qu. all his goods and catels, & shall suffer imprisonment during his life. And if any person or persons that for his first offence concerning the premises, shall be conuict in soyme abovesaid, do not pay the sum to be paid by vertue of this conuiction, in such maner and soyme as the same ought to be paid within six weekes next after his conuiction: Then euery person so conuict, and so not paying the same, shall for the same first offence, in stead of the said summe, suffer imprisonment by the space of six moneths, without baile or mainepysse. And if any person or persons that for his second offence concerning the premises, shall be conuict in soyme abovesaid, do not pay the said sum to be paid by vertue of his conuiction and this estatute, in such manner and soyme as the same ought to be paid, within six weekes next after his said second conuiction: Then euery person so conuict, and not so paying the same, shall for the same second offence, in stead of the said summe, suffer imprisonment during xij. moneths, without baile or mainepysse. 1. Eliz. 2.

Euery person shall resort to the Church.

5 All and euery person and persons inhabiting within this Realme, or anie other the Quenes dominions, shall diligently and faithfully, hauing no lawfull or reasonable excuse to be absent, endeavour themselves to resort to their Parish Church or Chappell accustomed, or vpon reasonable let therof, to some vsual place where Common Prayer and such seruice of God shall be vsed in such time of let vpon euery Sunday, and other daies ordained and vsed to be kept as Holydaies, and then and there to abide orderly and soberly, during the time of the Common Prayer, Preachings, or other seruice of God, there to be vsed and ministred, vpon paine of punishment by the censures of the Church, and also vpon paine that euery person so offending, shall forfeit. for euery such offence xij. s. to be leuied by the Churchwardens of the parish where such offence shall be done, to the vse of the poore of the same parish, of the goods, lands, and tenements of such offendor, by way of distresse. 1. Eliz. 2.

within what time the offendor shall be indicted.

6 No person or persons shall be at any time hereafter impeached, or otherwise molested, of, or for any the offences aboue mentioned, hereafter to be committed or done contrarie to this Act, vnlesse he or they so offending be thereof indicted at the next generall Sessions to be holden befoze the Iustices of Oyer and Terminer, or Iustices of Assise, next after any offence committed or done contrarie to the tenor of this Act. 1. Eliz. 2.

who may enquire of, and punish the offences.

7 All and euery Iustices of Oyer and Determiner, or Iustices of Assise, shall haue full power and authoritie in euery of their open and generall Sessions, to enquire, heare, and determine all and all manner of offences, that shall bee committed or done contrarie to anie Article contained in this present Act, within the limits of the Commission to them directed, and to make Procees for the execution of the same, as they may do against any person being indicted befoze them of trespassse, or lawfully conuicted thereof. And all and euery Archbishop and Bishop, shall or may at all time and times, at his libertie and pleasure ioyne and associate himselfe by vertue of this Act, to the said Iustices of Oyer and Determiner, or to the said Iustices of Assise, at euery of the said open and generall Sessions, to be holden in anie place within his Diocesse, for and to the enquire, hearing, and determining of the offences abovesaid. And the Maior of London, and all other Maiors, Baylifes, and other head Officers, of all and singular Cities, Boroughes, and Townes Corporat, within this Realme, Wales, and the Marches of the same, to the which Iustices of Assise doe not commonly repaire, shall haue full power to enquire, heare, and determine the Offences abovesaid, and euery of them yearely within xij. dayes after the Feast of Easter, and S. Michael the archangel,

angell, in like manner and forme, as Iustices of Assise and Oyer and determiner may doe. 1. Eliz. 2.

8 All and singular Archbishops and Bishops, and euerie of their Chancelors, The Ordinaries, Commissaries, Archdeacons, and other Ordinaries, hauing any peculiar Ecclesiasticall Jurisdiction, shall haue full power and authoritie by vertue of this Act, as well to enquire in their Visitation, Synodes, and elsewhere within their iurisdiction at any other time and place, to take accusations and informations of all and euerie the things aboue mentioned, done, committed, or perpetrated, within the limits of their iurisdiccions and authoritie, and to punish the same by admonition, excommunication, sequestration, or deprivation, and other censures and Piores, in like forme as heretofore hath bene used in like cases by the Ecclesiasticall lawes. 1. Eliz. 2.

9 Whatsoeuer person offending in the premises, shall for their offences first receiue punishment of the Ordinarie, hauing a Testimoniall thereof vnder the said Ordinaries seale, he shall not for the same offence eftsoones be convicted befoze the Iustices. And likewise receiuing for the said first offence punishment by the Iustices, he shall not for the same offence eftsoones receiue punishment of the Ordinarie: any thing &c. notwithstanding. 1. El. 2.

But once punished for one offence.

10 Such ornaments of the Church, and of the Ministers thereof, shall be retained, and be in vse as was in this Church of England, by authoritie of Parliament in Anno 2. Ed. 6. vntill other order shall be therein taken by the authoritie of the Ordinarie with the aduise of her Commissioners appointed and authorized vnder the great Seale of England for causes Ecclesiasticall, or of the Metropolitane of this realm. And also if there shall happen any contempt or irreuerence to be used in the ceremonies or rites of the Church, by the misusing of the orders appointed in this Booke: the Ordinarie may by the like aduise of the said Commissioners or Metropolitane, ordaine and publish such farther ceremonies or rites, as may be most for the advancement of Gods glorie, the edifying of his Church, and the due reuerence of Christs holy Mysteries and Sacraments. 1. Eli. 2.

11 Euerie person which shall say or sing Masse, being therof lawfully convicted, shall forfeit the summe of 200. Markes, and bee committed to prison in the next Gaole, there to remaine by the space of one yeare, and from thenceforth till he haue payed the same summe of 200. Markes. And euerie person which shall willingly heare Masse, shall forfeit the summe of 100. Markes, and suffer imprisonment for a yeare. 23. Eliz. 1.

Saying or hearing of Masse.

1 Arresting a Priest which is doing diuine Service S. Arrests 1.

2 That there shall be a Bible, and a Booke of Common Prayer in euerie Parish Church in Wales, in the Welch tongue, and another in the English tongue. S. Wales 125. 126.

3 Diuine Service shall be said yearely vpon the fift day of Nouember. S. 3. Iac. 1.

Safeconducts.

¶ Euerie Safeconduct to be granted to anie person or persons, the names of the owners of the Shippes, and of the Masters, and the number of the Mariners, with the cariage of the Shippes shall be expressed. 15. H. 6. 3. And if any Shippes or vessels charged with merchandize, of anie Merchants being the Kings enemies be taken vpon the Sea by any of the Kings liege people, if the Masters, passengers, or Merchants of such Shippes &c. haue not within the boord of their Shippes &c. at the day of the taking of them, the Kings Letters patents of his Safeconduct, libertie, or saueward for such Shippes &c. and merchandize, making mention of the names

what things be requisite to make safeconducts effectuall.

Safeconducts. Second Deliueraunce.

Entolment of
safeconduct.

Taking of
their ships
which haue
safeconduct.

Restitution to
one hauing a
safeconduct
which is rob-
bed.

names of the Ships &c. and of the name of the Master of the same: And the said Letters patents the day of the taking be not inrolled of record in the Chauncery, then the takers and possessors of the goods and merchandises may continually enioy and hold them without making any restitution of the same. 18.H.6.8. And all Letters of safeconduct, graunted to any of the Kings enemies, or other which be not inrolled of record in the Chauncerie befoze the deliuery of them to whom they be graunted shall be void. 20.H.6.1.

2 If anie of the Kings subiects doe take any Ships of any of the Kings enemies loden with merchandize, not hauing nor shewing such letters of safeconduct with, in the said Ships at the time of the taking of them, and doe lead them away with force to any place within the Realme, they shall not be endammaged for such taking, if they be ready to make restitution of such Ships and merchandizes, within reasonable time after notice is given to them of sufficient safeconduct for the same Ships and merchandize, inrolled in the Chauncerie of record befoze the taking thereof. 20.H.6.1.

3 If anie of the Kings subiects attempt, or offend vpon the sea, or in any port within this Realme vnder his obeyfance, against anie stranger being vpon the sea, or in any port aforesaid, by way of amitie, league, or truce, or by force of the Kings safeconduct or safegard, in any wise, and specially in attaching of any such strange person, robbing or spoyling of him, his Ship, or any other goods, or against any other person of his liege people: The Chauncelloz of England hath authoritie, calling to him anie of the Iustices of the one Bench or of the other, vpon a bill or bills of complaint to him made in this behalfe, to make such proces out of the said Chauncerie, as well against all such offenders, to bring them into the Chauncerie, there to answer to the parties so grieved in this behalfe, as against any other person or persons, to whose hands, any such person so attached, or goods shall come, as for the deliueraunce and restitution by them to be made of the same person, Ship, and goods, as shall seme to the same Chancelloz most expedient. And vpon this proces, the said Chauncelloz further shall proceed in this matter, if the case doe so require, by aduice of any such Iustice, to make the strangers so grieved to haue full restitution of any such person so attached, and of all such Ships and goods, and also of all their costs, expences, and losses sustained by them in this behalfe, and thereupon to make all manner of execution out of the said Chauncerie, in such forme as shall seme to the said Chauncelloz most expedient for such deliueraunce, and restitution to be had, calling to him any such Iustice, as is aforesaid. 31.H.6.4.

1 All Aliens being in amitie with the King, which bring in victuals, shall be vnder the Kings safeconduct. S. Victuals 2. Merchants 1.

Second Deliueraunce.

As soone as returne of the Cattell is awarded to him which did distraine the same, the Sherife shall be commanded by a iudiciall writ to make returne of the cattell to the partie which tooke the distresse, in which writ it shall be expressed, that the Sherife shall not deliuer them without a Writ, making mention of the iudgement given by the Iustices, which cannot be without a Writ issuing out of the rolls of the same Iustices, befoze whom the matter was in suit. And if he which is distrained, doe goe vnto the Iustices, and doe desire to haue the same cattell repleued vnto him againe, he shall haue a iudiciall writ, that the Sherife (taking suertie to prosecute the suit, and to returne the cattell, or their price, if returne be awarded) shall deliuer vnto him his beasts or cattell befoze returned, and he which is distrained, shall be attached to appeare at a certaine day befoze the Iustices, befoze whom

whom the suit shalbe determined in the presence of the parties. And if hee which repleued the cattell, do make default againe, or for any other cause, returne of distress shalbe awarded, now twice repleued, the distress shal for ever remaine irrepleuable. But if a distress be taken of new, and for a new cause, the proces shal in the repleuin shalbe awarded. W. 2. 13. E. 1. 2. S. Repleuin 2. 3.

1 Where the auowant in Second Deliuernance, shall recover damages and costs. See Damages 8.

2 Auowrie, justification, or cognuſance may be made vpon the land, in Second deliuernance, without naming any person certaine. S. Auowrie 1.

Sewers.

Commissions of sewers &c. shalbe directed in all parts within this realme from time to time for ever (3. E. 6. 9.) where and when need shal require, according to the forme and effect hereafter ensuing, to such substantiall & indifferent persons as shalbe named by the Lord Chaunceloz, & Lord Treasurer of England, and the two chiefe Iustices for the time being, or by thre of them, wherof the Lord Chaunceloz to be one.

2 James &c. Know ye, that for as much as the wals, ditches, bankes, gutters, sewers, gotes, callies, brydges, streames, and other defences by the coasts of the Seas and Parth ground, being and lying within the limits of A. B. or C. in the Countie or Counties of L. P. or in the borders and confines of the same, by rage of the Sea, flowing, and reflowing, and by meane of the trenches of fresh waters descending and hauing course by diuers waies to the Sea, bee so dirupt, lacerate, and broken, And also the common passages of ships, balengers, and boates, in the rivers, streames, and other flouds within the limits of A. B. or C. in the countie or counties of L. P. or in the borders or confines of the same, by meane of setting vp, erecting, and making of streames, milnes, brydges, ponds, fish-garths, mildams, lockes, hebbling weares, heckes, and floudgates, or other like lets, impediments, or annoyances be letted and interrupted, so that great and inestimable damage for default of reparation of the said wals, ditches, trenches, sewers, gotes, gutters, callies, brydges, and streames, and also by meane of setting vp, erecting, making and enlarging of the said fish-garths, mildams, lockes, hebbling weares, heckes, floudgates, and other like annoyances in times past hath happened, & yet is to be feared, that farre greater hurt, losse, and damage is like to ensue, vnlesse that speedie remedie be prouided in that behalfe: We therefore, for that by reason of our dignitie and prerogative royall, wee be bound to prouide for the safetie and preservation of our Realme of England, willing, that speedie remedie be had in the premises, haue assigned you, and fire of you, of the which, we will that A. B. and C. shall be thre, to be our Iustices, to suruey the said wals, streames, ditches, bankes, gutters, sewers, gotes, callies, brydges, trenches, milnes, mildams, floudgates, ponds, lockes, hebbling weares, and other impediments, lets, and annoyances aforesaid, and the same cause to be made, corrected, repaired, amended, put downe, or reformed, as cause shall require, after your wisdomes and discretions, and therein as well to ordaine and do after the forme, tenor, and effect of all & singular the Statutes and Ordinances made touching the premises, or any of them, as also to enquire by the Oathes of the honest and lawfull men of the same shire, or shires, place, or places, where such defaults or annoyances be, as well within Liberties, as without (by whom the truth may the better be knowne) through whose defaults the sayde hurts and damages hath happened, and who hath, or holdeth any lands or tenements, or common of pasture, or profit of fishing, or hath or may haue any hurt, losse, or disadvantage by any manner of meanes in

The forme of the Commission of Sewers.

Reforming of annoyances.

Inquiries by whose default the damages chance.

Sewers.

**Assessing of
the inhabitants**

**Taking away
the impediments.**

**Officers for
the repaire of
annoyances.**

**Taking of
workmen
and things
necessarie.**

**Ordinances
constituted.**

**Heare & deter-
mine offences.**

**Directing of
writs & pre-
cepts.**

the said places, as well neere to the said dangers, lets, and impediments, as inhabiting or dwelling thereabout, by the said wals, ditches, bankes, gutters, gotes, sewers, trenches, and other the said impediments and annoyances. And all those persons, and everie of them, to take, asseſſe, charge, distraine, and punish as well within the marches, limits, and bounds of old time accustomed, or otherwise, as elsewhere within our Realme of England, after the quantitie of their Lands, Tenements, and Rents, by the number of acres, and perches, after the rate of everie persons portion, tenure, or profit, or after the quantitie of their common of pasture, or profit of fishing, or other commodities there, by such waies and means, and in such manner and forme, as to you or six of you, whereof the said A. B. and C. to be thre, shal ſeeme most convenient to be ordained and done, for redress and reformation to be had in the premises. And also to reforme, repaire, and amend the said wals, ditches, bankes, gutters, sewers, gotes, calties, bridges, streames, and other the premises in all places needefull, and the same as often, and where need shall be, to make new. And to cleanse and purge the trenches, sewers, and ditches in all places necessarie. And further, to reforme, amend, prostrate, and overthrow all such mills, streames, ponds, lockes, fish-garths, hebbing weares, and other impediments and annoyances as aforesaid, as shall be found by inquisition, or by your surveying and discretions to bee excessive or hurtfull. And also to depute and assigne diligent, faithfull, and true keepers, baylives, surveyors, collectors, expeditors, and other Ministers and Officers, for the safetie, conseruation, reparation, and making of the premises, and everie of them, and to heare the account of the collectors and other ministers, of, and for the receit and laying out of money, that shall be lenied and paid, in and about the making, repairing, reforming, and amending of the said wals, ditches, bankes, gutters, gotes, sewers, calties, bridges, streames, trenches, mills, ponds, lockes, fish-garths, floudgates, and other impediments and annoyances aforesaid. And to distraine for the arrearages of every such collection, take or asseſſe, as often as shall be expedient, or otherwise to punish the debtors and detainers of the same, by fines, amerciaments, paines, or other like meanes, after your good discretions, and also to arrest, and take as many carts, horses, oren, beasts, and other instruments necessarie, and as many workmen and labourers, as for the said works and reparation shall suffice, paying for the same competent wages, salarie, & stipend in that behalfe. And also to take such, and as many trees, woods, underwoods, & timber, & other necessaries, as for the same works and reparations shall be sufficient at a reasonable price, by you or six of you (of which we will that A. B. & C. shal be ij.) to be asseſſed or limited, as well within the limits & bounds aforesaid, as in any other place within the said Countie or Counties, neere unto the said places. And to make and ordaine Statutes, Ordinances, and provisions from time to time, as the case shall require, for the safeguard, conseruation, redress, correction, & reformation of the premises, & of every of them, & the parties lying to the same necessarie & behoofefull, after the Laws and Customes of Romney Marsh in the Countie of Kent, or otherwise by any waies or meanes after your owne wisdomes and discretions. And to heare and determine all & singular the premises, as well at our suit, as at the suit of any other whatsoever, complaining before you, or 6. of you, whereof A. B. & C. shall be thre, after the Laws & Customs aforesaid, or otherwise by any other waies and meanes after your discretions. And also to make and direct all writs, precepts, warrants, or other commandements, by vertue of these presents, to all Sheriffs, Bailiffs, & all other Ministers, Officers, and other persons, as well within liberties as without, before you, or 6. of you, whereof the said A. B. and C. to be thre, at certaine daies, termes, and places to be prefixed, to be returned and received, and further to continue the proces of the same. And finally to doe all and everie thing and things as shall bee requisite for the due

due execution of the premises, by all waies and meanes after your discretions. And therfore wee commaund you, that at certaine daies and places, when and where you, or sixe of you (whereof the said A. B. and C. to be thre) shall thinke expedient, you do suruey the said wals, fences, ditches, bankes, gutters, gotes, sewers, causeyes, ponds, brydges, riuers, streames, watercourses, mills, lockes, trenches, fish-garths, fludgates, and other the lets, impediments, and annoyances aforesaid, and accomplish, fulfill, heare, and determine, all and singular the premises in due forme, and to the effect aforesaid, after your good discretions. And all such as you shall find negligent, gaine-saying, or rebelling in the said woorkes, reparations, or refozation of the premises, or negligent in the due execution of this our commission, that yee doe compell them by distresse, fines, and amerciaments, or by other punishments, waies, or meanes, which to you, or sixe of you (whereof the said A. B. and C. shall be thre) shall seeme most expedient, for the speedy remedy, redresse, and refozation of the premises, and due execution of the same. And all such things as by you shall be made and ordained in this behalfe, as well within liberties, as without, that you do cause the same firmly to be obserued, doing therein as to our Iustices appertaineth, after the Lawes and Stat. of this our Realme, and according to your wisdomes and discretions: Saving alwaies to vs such fines and amerciaments, as to vs thereof shall belong. And wee also commaund our Sherife or Sherifes, of our said Countie or Counties of L. S. that they shall cause to come before you, or sixe of you (of the which A. B. and C. shall be thre) at such daies & places, as you shall appoint them, such & as many honest men, of his or their Bailiwiki, as well within the Liberties as without, by whom the troth may best be knowne, to enquire of the Premises, Commanding also all other Ministers and Offices, as well within liberties as without, that they and enerie of them shall be attendant to you, in & about the due execution of this our Commission. In witness etc.

All officers
shalbe attend-
ant to the
Commission-
ers of
Sewers.

3 Every such person as shall be named Commissioner in the said Commission, after he hath knowledge thereof, shall effectually put his attendance about the execution of the said Commission, and before hee shall take vpon him the execution thereof, hee shall take a corporall Oath before the Lord Chancelloz, or before such to whom the Lord Chancelloz shall direct the Kings writ of *Decimus potestatem* to take the same, or before the Just. of Peace in the Quarter Sessions holden in the shire where such commission shall be directed. The tenor of which oath hereafter ensueth. 23. H. 8. 5.

The Commis-
sioners dutie.

4 We shall sweare, that you to your cunning, wit, and power, shall truly and indifferently execute the authoritie to you giuen by this Commission of Sewers, without any fauour, affection, corruption, dread, or malice, to be doyne to any maner person or persons: And as the case shall require, yee shall consent and endeavour your selfe for your part to the best of your knowledge and power, to the making of such wholesome, iust, equall, and indifferent lawes and ordinances, as shall be made and deuised by the most discreet and indifferent number of your fellows being in Commission with you, for the due redresse, refozation, & amendment of all and euery such things as are contained and specified in the said Commission. And the same lawes and ordinances to your cunning, wit, and power, cause to be put in due execution, without fauour, meed, dread, malice, or affection, as God you helpe &c. 23. H. 8. 5.

The Commis-
sioners Oath.

5 The Commissioners named in any of the said Commissions, according to the purport and effect of the same Commissions, haue authoritie to make & ordaine lawes, ordinances, and decrees, and further to doe all and enerie thing mentioned in the said Commission, according to the purport, effect, words, and true meaning of the same. And the same lawes and ordinances so made, to refozme, repeale, and

The Commis-
sioners autho-
ritie.

A b b j

amend,

Sewers.

How long the
Commissioners
decrees
shall continue.

mend, and make new, from time to time, as the cases necessarie shall require in that behalfe. 23. Hen. 8. 5. And all such lawes, ordinances, and constitutions, as bee or shall be duely made by force of any such Commission, according to the tenor and effect limited in any Statute made (before 2. Apr. An. Dom. 1571.) touching Commission of Sewers, and being written in parchment indented, and vnder the seales of the said Commissioners, or 6. of them (whereof the one part shall remaine with the Clerke appointed for the Commission of Sewers for the time being, and the other in such place as the same Commissioners, or 6. of them shall appoint) shall without any certificat thereof to bee made into the Chancery, and without the royall assent to the same had, continue in full force and effect, notwithstanding any determination of any such Commission by Superseas, untill such time as the same lawes &c. shall be altered or repealed by the Commissioners after to be assigned for Sewers in those parts where the same lawes &c. were made, or by six of them. 13 Eliz. 9.

Commissioners
for the countie
of Glamorgan

6 The foresaid Act of 23. H. 8. & all Commissions of Sewers, to be directed according to the tenor of the same, shall extend & give authority, that the Commissioners therein named for the Countie of Glamorgan, or 6. of them (whereof three to be of the Quorum) shall haue full authoritie from time to time to make such lawes, provisions, and decrees within the said Countie of Glamorgan, for the redresse, and saving the grounds there from hurt or destruction, by reason of sand rising out of the sea, and giuen to land by stormes & windes, as they may do by the said former act & commission, for the auoiding of the outrageous course of the sea, and other waters. 1. M. Par. 2. 11.

The Commissioners
decrees
shall bind other
mens land.

7 If any person being taxed to any lot or charge, for any Lands, Tenements, or Hereditaments, within the limits of any Commission, doe not pay the same, according to the ordinance of the Commissioners, hauing power of the execution of the said commission, by reason whereof it shall happen, the said Commissioners for lacke of payment of such lot & charge, to decree & ordaine the same lands &c. from the owner thereof, and his heires, to any person or persons for terme of yeares, terme of life, in fee simple, or in taile, for payment of the same lot and charge: Then every such decree and ordinance so by them made, ingrossed in parchment, and sealed, shall bind euerie person, that, at the making of the same decree, had any interest in such lands &c. in vse, possession, reuerſion, or remainder, their heires, & feoffees, and euery of them. 23. H. 8. 5.

The Commissioners
decrees
shall bind the
King & all other
persons lands

8 The same lawes, ordinances, and decrees, made by the said Commissioners, or 6. of them, by authoritie of the said Commission, shall bind as well the lands, tenements, & hereditaments of the King, as all other persons and their heires, and such their interest as they shall or may haue in any lands &c. or other casuall commodities whatsoever, whereunto the said lawes &c. shall in any wise extend, according to the true intent of the same lawes. 23. H. 8. 5. And all scots, lots, and summes of money to be rated and taxed by vertue of such Commission of Sewers, vpon any the lands &c. of the King, for any thing concerning the articles of the said commission, shall be gathered & leuied by distress, or otherwise, in like maner as shall or may be done in the lands of any other person. And all bills of acquitance, signed with the hand of such collector or receiuer, as shall haue the collection thereof, by the appointment of the said commissioners, or 6. of them, shall be as wel a sufficient discharge to the tenants, farmers, & occupiers of the same grounds, so to be charged for the said summe, wherewith their ground shall be so charged, as also a sufficient warrant to euerie receiuer, auditor, & other whatsoever officer of the King, for the allowance to such tenant &c. for the same. 3. E. 6. 8.

9 No person shall be compelled to be sworn, or otherwise bound to sit or travel in the execution of any commission of Sewers, vnlesse hee be dwelling within the countie.

Countie, whereof he shalbe assigned to be Commissioner. 25.H.8.10.

10 If any person assigned to be such Commissioner of Sewers, being required by such as shall have authoritie by the R. writ, or otherwise, to receive the oath aforesaid, doth refuse to take the same oath, or upon that request made, doth not receive the same, and that refusal or contempt be done in the Chancery, or returned into the Chancery with the said writ, he shal forfeit. for the same contempt to the R. 10. markes. And so to lose from time to time 10. markes for every such contempt, as shal be done or returned into the said Chancery against any such person, unless hee in the same Chancery do shew in the said terme wherein such returne shal be made, sufficient cause to be allowed by the Lord Chauncelour for his excuse in that behalfe. 25.H.8.10.

Commissioners shalbe dwelling within the same Countie. Refusal to take the oath.

11 If any person do take upon him to sit by vertue of any of the said Commissions, not being before sworn in forme as is aforesaid, and according to the tenor of the oath before specified: Or if any person so named and sworn, do sit, not having lands and tenements, or other hereditaments in fee simple, fee tail, or for terme of life, to the cleere yearly value of 40. markes, above all charges, to his owne use (except he be a knight & free of any citie, borough, and towne corporate, & have moveable substance of the cleere value of 100. l. or els be learned in the lawes of this realme, and admitted in one of the 4. principall Innes of Court for an utter barreller) hee shal forfeit. 40. l. for everie time that he shall attempt so to do, to the R. & J. to be rec. by R. J. & c. wherein no W. & c. or P. 23.H.8.5.

None shall sit except he be sworn. Of what living or degree every Commissioner ought to be.

12 No Farmor for terme of yeares, of any lands or tenements lying within the precincts of any such Commission of Sewers, which he or hereafter may be ordered and chargeable by any ordinances or constitutions made or to be made, by vertue of any such Commission, wherein he shall be appointed Commissioner, (not having estate of freehold within the Realme of England, in lands or tenements of the yearly value of 10. l.) shall have power to sit, or in any wise intermeddle with the execution of such Commission, during the time that he shall continue farmor of any such lands, & shall not have estate of freehold, as is aforesaid: But every such Commission, as having respect onely to every such person, for such and so long time as he shall so continue farmor of any such lands, shall be adjudged in law to be void, any thing in the said Commission, or any statute &c. notwithstanding. But it shall be lawful for any Commissioner, being also a Farmor, and not having lands &c. to the cleere yearly value of 10. l. of freehold, to sit by vertue of the said commission, & have his voice & full authoritie with others to make & establish ordinances for Sewers, according to the tenor of the commission, concerning all lands and tenements within the precinct of every such commission, other than such lands &c. as he for the time being shall hold and enjoy as Farmor, as he might have done before the making of this Stat. 13. Eliz. 9.

A farmor of lands chargeable, shall not be Commissioner within the same precinct.

16 If any action of trespass, or other suit shall be attempted against any person for taking of any distresse, or any other act doing, by authoritie of the said commission, or by authoritie of any Lawes or Ordinances made by vertue of the same, the defendant therein shall and may make apowrie, & quittance, or iustification for the taking of the same distresse, or other Act doing, touching any of the premises, alledging therein, that the said distresse, trespass, or other Act, whereof the plaintife complaineth, was done by authoritie of the commission of Sewers, for lot or tace assessed by the said commission, or for such other act or cause, as the said defendant did by authoritie of the said Commission, and according to the tenor, purport, & effect of the act made 23. H. 8. without any reherfall of any other matter contained in the said Act, or any Commission, Statutes, or Ordinances thereupon made, whereupon the plaintife shall be admitted to replie, that the defendant did take the said distresse, or did any other act or trespass supposed in his declaration of his own wrong.

Apowrie or iustification of a distresse taken by reason of the Commission of Sewers.

Sewers.

**Damages for
the defendant.**

wrong, without any such cause alleged by the said defendant, whereupon the issue in euerie such action shall be joined, to be tried by verdict of xij. men, & not otherwise, as is accustomed in other personall actions. And upon the trial of the issue, the whole matter shall be giuen on both parties in euidence, according to the truth of the same. And after such issue tried for the defendant, or nonsuit of the plaintife after apparance, the said def. shall recover treble damages by reason of his wrong, soleration in that behalfe, with his costs also in that part sustained, and that to be assessed by the same Iurie, or writ to inquire of damages, as the case shall require. 23.H.8.5.

**The Commis-
sioners and
Clerkes wages.**

14 Euery of the said Commissioners shall haue iij. s. for euery day that they shall take paine in the execution of this Commission of Sewers, And one Clerk by them assigned ij. s. for euery day, of the rates, taxes, lots, & waives that shall bee assessed or lost, by authoritie of the said commission, and to be leuied and paid by their discretions. And the said Commissioners or six of them, shall haue authoritie to assigne of the same rates &c. such reasonable summes of money to the said Clerke for writing of bookes, and pces concerning the premises, and to the Collectors, Expenditors, and such other as shall take paine in the due execution of the said Commission, as by the said Commissioners, or six of them shall be thought reasonable. 23.Hen.8.5.

**No certificat
of the Com-
mission of
Sewers.**

15 The said Commissioners shall not be compelled to make any certificat or returne of any the said Commissions, or of any their ordinances, lawes, or doings, by the authoritie of any the said Commissions. Nor shall haue any fine, paine, or amerciamento, set vpon any of them, or any waies be molested for that cause. But the Clerke appointed for any such Commission, shall yearely truly extreat all the issues, fines, penalties, forfeitures and amerciaments, that shall be answerable to the R. &c. And the same extreats shall yearely deliuer into the Exchequer, at such time, and in such manner, as Iustices of the Peace ought to doe, by vertue of their Commission, vpon paine to forfeit to the Queen &c. for euery default five pounds. 13.El.9.

**How long the
Commission
shall continue.**

16 Euery Commission of Sewers shall continue in force ten yeares, next ensuing the date thereof, vntill the same shall be repealed or determined by reason of any new Commission in that behalfe made, or by Superfedeas, (for the King shall at his pleasure by his writ of Superfedeas out of his Chancery at any time discharge as well euerie such Commission, as euerie Commissioner &c. 23.Hen.8.5.) And at all times after the end of tenne yeares next ensuing the date of Telle of any Commission of Sewers, all such lawes, ordinances, and constitutions, as were made by vertue of any such Commission, and written in parchment, indented, and sealed (without certificat thereof, or the assent Royall to the same had, as is aforesaid) shall notwithstanding the determination of any such commission, by the expiration of the terme of ten yeres, likewise continue in force by the space of one whole yeare then next ensuing. And the Iustices of Peace of the Shire and Shires where the same lawes, ordinances, and constitutions are to bee executed within their seuerall committie & limits, or six of them (whereof two to bee of the Quorum) shall haue authoritie by the space of one whole yeare next after the expiration of euerie such commission to execute the same lawes, ordinances, and constitutions, and euery of them, in as ample maner as the Commissioners appointed in any commission so expired, might, or should haue done, to all intents, as if the said commission had continued in force. But if any newe commission of Sewers shall be made within the said yeare, then immediatly from and after such commission newly made and published, the power of the said Iust. of peace, and euerie of them in any wise concerning the execution of any such lawes, ordinances, and constitutions of Sewers shall utterly cease. 13.El.9.

**Iust. of P. in
some case shall
execute the
Commission
of Sewers.**

17 As often as such Commission shall bee directed to any persons for the refoꝛ-
mation of, oꝛ in any of the premises specified in the said Commission, within the
sees, liberties, oꝛ possession of the Duchie of Lancaster: Then such Commission-
ners as shall execute the same, shalbe appointed by the Lord Chancellor, and Lord
Treasurer of England, and the said two chiefe Justices of either Bench, and the
Chauncelloꝛ of the said Duchie for the time being, oꝛ thzee of them, whereof the
said Lord Chauncelloꝛ, and the Chauncelloꝛ of the said Duchie to be two. And in
everie such case two Commissions shall be awarded, according to the tenoꝛ of the
Commission above expꝛessed, one thereof vnder the great Seale of England, and
the other vnder the Seale of the same Duchie. And as often as such Commission
shall be directed to any persons for the amendment of, oꝛ in any of the premises
specified in the said Commission, within the sees, liberties, and possessions of the
Principallitie of Wales, the Countie Palantine of Chester, oꝛ within the sees, li-
berties, and possessions of any other place, where there is libertie and iurisdiction
of Countie Palantine: In everie such case two Commissions shall bee awarded
according to the tenoꝛ of the Commission above expꝛessed, one thereof vnder the
great Seale of England, and the other vnder the vsuall Seale of the countie Pa-
lantine, in manner and foꝛme, as is above pꝛovided for the Duchie of Lancaster.
23. H. 8. 5.

Commission
within the
Duchie of
Lancaster

Wales.
Chester.

18 The Chancellor, and such other as shall have the custodie of the seales of the
said principallitie of Wales, oꝛ the countie Palantine of Chester, oꝛ within the sees,
liberties, and possessions of any other place, where there is libertie and iurisdiction
of countie Palantine, vpon reasonable request, and vpon the sight of the Commis-
sion vnder the great Seale, shall without delay make out another commission vnder
the seale of the said countie Palantine, according to the tenoꝛ of the Du. com-
mission to them shewed vnder the great Seale, and to thole Commissioners as shal
be named by the L. Chancellor, L. Treasurer, and the two chiefe Just. oꝛ by thzee
of them, whereof &c. (except it be within the sees, and liberties of the Duchie of Lan-
caster) within which sees and liberties the Commissiones shalbe named, and com-
missions made as is before oꝛdained. 23. H. 8. 5.

Commission
in Wales. &
Counties
Palantine.

19 The said commission from time to time, as the case shall require shall be ob-
tained without any money, oꝛ other charge to be paid for the seales oꝛ wꝛiting of
the same, unlesse it be to the R. y. s. 11. s. for the seale of euery commission, and for
the wꝛiting and inrolling of any one commission 6. s. and not above. 23. H. 8. 5. And
such & like fees, and none other, noꝛ moꝛe shalbe at any time paid oꝛ demanded for
any commissions, and wꝛits of Dedimus potestatem, to be sued out vnder the seale
of the Duchie, as be mentioned in the said foꝛmer Act, to be paid in the Chancerie
for Commissions and Wꝛits of Dedimus potestatem, to be obtained from thence
&c. 3. E. 6. 8. S. Weares.

The fees for
Commissions

20 The walles, ditches, bankes, gutters, sewers, gates, causeies, bꝛidges,
streames, and watercourses, within the limits of two miles, of and from the citie
of London, which waters have their course, and fall into the river of Thames, shal
from hencefoꝛth be to all intents and purposes as fully subiect to the commission of
sewers, and to al the stat. made for sewers, and to all penalties in the same stat.
and in euery of them contained, as if the same places nere to the said citie of Lon-
don had bin particularly named in the said stat. of sewers, oꝛ that there the water
had ebbed and flowed, and therein free passage with boats and barges to the
sea had bin heretofore bled, Any thing in the said stat. oꝛ elsewhere, to the con-
trarie in any wise notwithstanding. 3. Jac. 14.

Watercourses
nere to Lon-
don.

21 Whereas all, oꝛ some part of the Parishes Low and flat grounds, and some
part of the arrable, pasture and bpland of the Townes and Parishes hereafter na-
med, are already by new breaches, and washing and breaking downe of the Cliffs,
and

Sewers.

**The names
of the towne
and parishes
annoyed by
the Sea.**

and higher grounds lying betwene the Sea and the Islands greatly annoyed and generally endangered, or like to be endangered, That is to say, the Townes and Parishes of Martonham, Walling, Eccles, Hempstead, Ingham, Hickling, Hoxley, Potter, Higham, Catfield, Ludham, Winterton, East Somerton, West Somerton, Partham, Basswick, Kepps, Thorne, Dby, Stipsey, Billockby, Wood, Bass Wickhoring, Kantwoth, Southwalham, Upton, Fishley, Acle, Catto, Saint Edmunds, Catto, Paltbey, Rymham, Harringby, Bozough, Stokesby, Burton, Hoxstead, Wrotham, Sallowes, Hoston, Belowe, Coltsell, Hobbins, Lammas, Petishead, Barton, Sutton, Stalham, Tunstall, Halmersgate, Wickhamton, Thrope, Redham, Limpenhowe, Cantly, Hastingham, Buckenham-Ferrie, Strumell, Bوندell, Basswick, Thrope iuxta Boswich, Thurlton, Bosyon, Hartley, Langley, Carlton, Clarton, Rockland, Surlingham Bramerton, Wicklingham, Troise, Carrowe, Haddeslowe, Whiteacre-Bosough, Whiteacre-Abbey, Gellingham, in the Countie of Bosfolke: And Cozeleston, Capton, Bradwell, Bosough-Castle Berkelesse, Balham, Woxlingham, Belton, Fretton, Saint Toolies alias Saint Olives, Herringfleet, Somerley-Towne, Shepton, Wolton, Birley, and Barkley, in the Countie of Suffolke.

**A Commission
shalbe awarded
to inquire
of present &
reloyme de-
faults.**

**The forme of
the commissio.**

England to the Lord Bishop of the Diocese of Boswich for the time being, and to any Eleuen or moze Justices of the peace of the said County of Bosfolke, and six or moze Justices of Peace of the said countie of Suffolke, as to him shall seeme good. And if there shall then be no Bishop of the said Diocese, then to such other as afore, said, only after such tenor and effect as hereafter followeth, that is to say: Rex &c. Reuerendo in Christo Patri A. Episcopo Norwic. necnon A.B.C.D. salutem. Sciatis, quod assignauimus vos, & quolibet, sex siue plures vestrum ad omnia & singula superuidenda, perlustranda, mandanda, facienda, performanda, exequenda, & peragenda, in quodam actu in Parlamento Domini Iacobi Dei gratia Regis Anglię, &c. nono die Februarij, Anno Regni sui Anglię, Francię & Hibernię, septimo, & Scotię quadragesimo tertio, per diuersas prorogaciones apud Westmonasterium tento, edito incircularo, An Act for the speedy recouerie of many thousand Acres of Marsh grounds, and other grounds within the Counties of Bosfolke and Suffolke, lately surrounded by the Sea in diuers parts of the said Counties, and for the pzeuention of the danger of like Surrounding hereafter, Specificata, secundum tenorem vim, formam, effectum, & veram intentionem eiusdem Actus. In cuius rei testimonium &c. Teste &c. 7. Jac. 20.

**The Com-
missioners an-
thoritie.**

**To inquire by
whose default
the overflow-
ings hapned
& who ought
to repaire
them.**

22 The same Commissioners to whom such Commissions shall be directed, or any six or moze of them by vertue of the same Commission, and of this present Act, shall haue full power and authoritie to view, see, and suruey the said Lands and grounds so surrounded, decayed, and overflowne within the aforesaid towne and parishes in the said Counties of Bosfolke and Suffolke or either of them, and the places and breaches betwene the Townes of great Parmouth, and Happishbroowe, where the said overflowings, breaches, or decays are now happened, or shall or may hereafter happen, As also all other places of danger within the limits aforesaid, where the like breaches and decays hereafter shall or may happen, And to enquire by the Oathes of god and lawfull men of the said Countie or counties aforesaid within Liberties as withont, and by their owne view and iudgement, and by all other good waies and meanes, whereby the truth may be discerned or known, if any certaine person or persons ought to sustaine or repaire the same, and by whose default or by what meanes the said breaches, decays and overflowings of the Sea haue happened, And who hath or holdeth any Lands, Meadows, Parishes, Low grounds

grounds, common of pasture, profit of fishing, or any other benefit or commoditie in the Townes and Parishes aforesaid, wherein he or they by the said Breaches, decays, and overflowings already made, or by any other breaches, decays, or overflowings hereafter to be made by any manner of means hath already received, or may or are like at any time hereafter to receive any losse, prejudice, hurt or damage. And all those persons, & everie of them, and the lands, meadowes, marshes, lowe grounds, or other the premises lying within any the parishes or towns aforesaid, subiect to overflowings, danger or decay as aforesaid, to Ware, Rate, Assesse, and charge with such summe and summes of money, as wel for the present repaire of the said Breaches and decays already made, and hereafter to be made, as for the recovery, defending and obtaining of the lands, grounds, and leuels, by the same now or hereafter drowned, decayed, surrounded, or annoyed, or in danger to be drowned, decayed, surrounded, or annoyed: As also for the making and erecting, keeping and maintaining of Beres, Walls, Jettes, Piles, strengthes, fortifications, defences, and other things whatsoever to withstand and breake the rage and violent beating of the Sea, thereby to prevent the like breaches, decays and overflowings hereafter, or for all or any of the said purposes, in such sort as to them, or any six or more of them in their discretions shalbe thought fit and necessarie, having respect in proportioning of the taxing or assessing as aforesaid aswell to the then present losse and danger, as to the future losse and danger that the same person or persons, ground or grounds, and other the premises, did, shall, and may sustaine and beare by reason of the said breaches, decays and overflowings: and that the said Commissioners, or any six or more of them, shall and may make and appoint diligent and faithfull Surueyors, Collectors, Receivors, Treasurers, Expeditors, Bailiffs, and such other Ministers and Officers, as they shall thinke fit, to suruey the said workes, and to leuie, receive, and lay out the money to be leuied, and expended in and about the same: And to doe and execute whatsoever shalbe needfull and expedient to bee done therein, according to the direction and orders to be from time to time prescribed by the said Commissioners, or any six or more of them as aforesaid: And also within the said Counties of Norfolk and Suffolke, or either of them (except in that part of the County of Norfolk commonly called Marshland, and the hundred of Freebridge in Marshland) to take workemen, labourers, carts and carriages, Timber, Wood, and all other stufte and necessities for the effecting and performance of the said workes for reasonable wages and prices to be set by the said Commissioners, or any six or more of them according to their good discretions. Provided alwaies that they shall not take any timber, or wood of any trees, growing or being in or about any orchard or garden, or within two furlong of the Site of any mansion or dwelling house whereunto it belongs. 7. Jac. 20.

23 And also it shall and may be lawfull to the said Commissioners, or any six or more of them, by warrant vnder their or any six or more of their hands and Seales, to commit to the common Gaole of the said Countie respectiuelly, all such workemen and Labozers, and Owners, possessors of Carts, Horses, or Carriages, as being commanded or required by warrant from the said Commissioners, or any six or more of them, to worke, or serue in the said workes, having such convenient and reasonable hire and wages as shall be set by the said Commissioners, or any six or more of them, payed or tendred vnto them as aforesaid, & likewise al such as shall resist, or withstand the taking of any timber, wood, or other stufte or necessities appointed as aforesaid, to be taken for the effecting & performing of the said workes, having such convenient and reasonable prices, as shalbe set by the said Commissioners, or any six or more of them payed or tendred to them, as aforesaid, there to remain by the space of 2. monthes without baile or mainprize: And also to punish the said workemen & labourers, owners & possessors of Carts, Horses, & carriages, & Resistors, and with,

To take the persons and lands charged able.

Appointing of Officers to execute that which shalbe needfull.

To take workmen & stufte for the performance of the said workes.

Punishment of such as be disobedient in their labour, carriages, or for the taking of their timber.

Sewers.

withstanders to take snags, wood, or timber for refusing or not doing, or withstanding as aforesaid, by imposing upon them, or any of them such reasonable and competent fines, or amerancements, as the said Commissioners any six or more of them, shall in their wisdoms thinke fit: which fines and amerancements shall by authority hereof be levied by distresse, and sale of the goods of such offender, and for default thereof, he or they to be by warrant under the hands and Seales of the said Commissioners, or any six or more of them, committed to the common Gaole of the said Countie, there to remaine untill they shall pay the same. 7. Jac. 20.

The Commissioners may authorize others to levy the money assessed.

Imprisonment for default of distresse.

If the Lessee of the land charged do pay the sum taxed, how much thereof he may abate of the lessors rent.

The Commissioners may make orders for preservation of the grounds and also amend the same. The Commissioners may impose penalties upon such as shall break their orders.

24 It shall and may be lawfull for the said Commissioners, or any six or more of them, as aforesaid, by warrant under their hands and Seales to give authority, to any person or persons to levy the said summes of money by them from time to time to be assessed upon the said persons, or upon the said Lands, Meadows, Marshes, low grounds, or other the premises charged or chargeable with the same by distresse and sale of the goods of such person or persons, that shall not pay, or refuse to pay the same, and the overplus of the value rising upon such sale shall restore to the said owner of the same. And in default of such distresse to be taken and sold, it shall and may be lawfull to the said Commissioners or any six or more of them as aforesaid to commit him or them so not paying, or refusing to pay the same, to the common Gaole of the said Countie there to remaine without baile or mainprie, untill they shall willingly pay the said summe or summes of money so taxed, rated, or assessed by him, or them to be paid as aforesaid. 7. Jac. 20.

25 If it shall happen, that any the said grounds, or other things so drowned, decayed, or indamaged, or in danger to be drowned, decayed, or indamaged by the said decayes & breaches past, or to come, shall be in the hands of lessees of farmes under a rent, then in such cases, what part soever of the charge shall be set upon persons, to whom such rents shall be to be paid, or upon the lands so holden in farme or lease, if the same be levied upon the occupier, farmer or lessee, hee shall or may retaine so much of his said rent in satisfaction thereof, as by the said Commissioners or any six or more of them in writing under their hands and Seales, shall in their discretions be set down and declared, having respect unto the length or shortnes of his terme, and the great or small rent that he is to pay for the same: Which Retainer shall be a sufficient discharge against the said lessors, and every of them, their heirs, successors, and assignes, for and concerning the same rent, that shall be so retained, and of and for all other paines, penalties, and for for not payment thereof. Provided alwaies that the said lessees, farmes, and every of them, shall pay & satisfie the residue which shall not be retained by vertue of this act, & order of the said Commissioners, under such paines, penalties, & forfeitures, as they should or ought to have paid the same, as if this act, or any such order had not bin had or made. 7. Jac. 20.

26 The said Commissioners, or any six or more of them shall have power & authority by vertue of this act from time to time to make, declare, & set downe lawes, ordinances, decrees, & provisions, for the safeguard, preservation, and safe keeping of the Cliffs & high grounds, lying between the Sea & the said Inlands within the limits aforesaid, from the rage & violence of the sea, and from the breaches, decayes, flowings, and overflowings thereof, & for the defending, dayning, & drawing away of the waters, that shall or may overflow, or hurt the lands, pastures or marshes, in the towne, & parishes aforesaid, or any of them; and the said lawes, ordinances, decrees, & provisions, from time to time to repeale, reforme, or amend, as occasion shall serve and require. Which lawes, ordinances, decrees, and provisions, so made & declared (so long as they shall remaine in force) shall be well and truly observed, performed & kept by all such whom they shall concerne, or to whom they shall appertain. And the said Commissioners or any six or more of them, shall and may set and impose such reasonable and competent paines, penalties and forfeitures, upon such person

person and persons, as shall willingly or wilfully breake or not obey, observe and performe the said lawes, ordinances, decrees, and provisions, as they shall thinke convenient. And the said paines, penalties, and forfeitures, so set and imposed, shall be leuied by distresse, & sale of any of the offenders goods, or imprisonment in such sort, as any other summe or summes of money, leuiable by this Act, shall or may be had or leuied, and the surpluse arising of such sales shall be restored to the owner.

7. Jac. 20.

27 All and singular fines, paines, penalties, forfeitures, and summes of money to be set, imposed, paid or leuied by vertue of this Act, shall be employed in and about the making, repairing, fortifying and strengthening of the said Cliffs and higher grounds, lying betweene the sea and the said Inlands, within the limits aforesaid, and for the drying of the waters that shall flow into the said Lands, pastures, and marshes in the Townes and Parishes aforesaid, and to none other use whatsoever. Having that it shall be lawfull to the said Commissioners or any sixe or moze of them out of the same to allow to euery of themselves, for euery day that they shall sit or trauell about the execution of the premises the summe of iij. s. a piece: And to the Collectors, Surueys, Receiues, Treasurers, Expenditors, Bailiffs, and other Officers and Ministers which shall be imployed in and about the premises, such reasonable allowance, as to the said Commissioners or any sixe or moze of them, in their discretions shall be thought reasonable. 7. Jac. 20.

How the penalties and forfeitures shall be employed.

Allowance to the Commissioners and other officers for their paines. The Commissioners may asseesse the farmers of any lands to be contributorie. The Commissioners shall bind the & all other persons lands.

28 The said Commissioners or any sixe or moze of them, shall and may rate, taxe, and asseesse, all such person and persons as be tenants, Farmors, or occupiers, of any Mannors, lands or tenements, commons, or other profits or hereditaments of our Soueraigne Lord the R. his heires or successors, within the towne and parishes aforesaid, to pay and contribute, for and towards the Jetties, walls, and other the premises aforesaid, as far as any other, according to their good discretions. And the said laws, ordinances, decrees, orders & provisions to be made & ordained by the said Commissioners, or any sixe or moze of them, in or about any thing touching or concerning the premises, shall bind as well the lands, tenements, and hereditaments of our Soueraigne Lord the R. his heires and successors, and his and their Tenants, Fermors and Lessees, as aforesaid, as all and euery other person and persons, and their heires, for such their interest, as they shall fortune to haue in any lands, Tenements, hereditaments, or other profit, aduantage or Commoditie whatsoever they shall be, whereunto the said Lawes, Ordinances, Decrees, Orders, and Provisions shall in any sort extend according to the true purport, meaning and intent thereof. 7. Jac. 20.

29 In case where any Warrant or Precept shall bee made or directed to any Officer or Minister, to leuie the summes of money of any the said person or persons aforesaid, or to take his or their bodie or bodies, or both of them, as the case shall require, if such Officer or Minister shall make returne to the said Commissioners, or any sixe or moze of them, that there are not found goods sufficient of the person or persons, who shall be taxed or charged, or whose Lands, Meadowes, Pastures, or other the premises shall be rated, taxed or assessed with the payment of any summe of money as aforesaid, by distresse and sale wherof, the said summes of money to be taxed, rated and assessed, may be leuied in such of the said Counties of Norfolk or Suffolke, wherein the Grounds, Meadowes, Pastures, or other the premises, for or in respect wherof, such tax or charge shall be made, shall lie or be, nor that the bodie of such person or persons can be found in that countie: When the said Commissioners, or any sixe or moze of them, shall and may from time to time make warrants, vnder their hands and Seales vnto the Sherifes of the said Counties of Norfolk or Suffolke on which the said Lands, Meadowes, Pastures, or other the premises, for or in respect wherof the said Tax or charge was made as aforesaid,

A remedie where the parties taxed hath not sufficient goods nor his body be found with in that countie.

Sewers.

to be directed, thereby commaunding the said Sherife in the next Countie Court, to be holden after the deliuerie of such warrant, openly by Proclamation, to call such person or persons, and to commaund him or them to render him or themselves to the said Sherife, at or befoze the next Countie Court after such Proclamation made to bee holden, or at or befoze the said next Court, to deliuer vnto the said Sherife such summe or summes of money as he or they shall bee charged withall, or ought to pay as aforesaid: And if the said person or persons shall after the said Proclamations, and befoze the said next Countie Court, pay the said summe and summes of money vnto the said Sherife, then the said Sherife shall pay ouer the same vnto the said Commissioners, or any fire or moze of them: And if the said person or persons shall render him, or themselves befoze the said next Countie Court, then the said Sherife shall keepe, and detaine him or them in prison, in the common Gaole of the said Countie in such sort as is befoze appointed by vertue of this Act, for not payement of any Rate, Tare, or Summe of money: And if the same person or persons shall not vpon such Proclamation, render him or themselves, or deliuer such summe or summes of money as aforesaid, at or befoze the said next Countie Court, in euerie such case the said Commissioners, or any fire or moze of them shall from thencefozth haue full power and authoritie, and shall and may by vertue of this Act, sell, graunt, or demise, the Lands, Meadowes, Marshes, and other the Premises so rated, charged, tared, or assessed with the payment of any summe or summes of money as aforesaid, or such part thereof, and for such Estate as the said Commissioners, or any fire or moze of them shall seeme good, and for the best and highest prices that they can get for the same, to any person or persons that will buy or take the same, and to their heires or otherwise, by Deed indented, to be made betweene the said Commissioners, or any fire or moze of them, and the said Purchasers, and to bee acknowledged and enrolled within the Countie, where the said Lands, Meadowes, Marshes, and other the Premises to bee sold, graunted, or demised doe lie, befoze two Justices of Peace of the said Countie, whereof one to be of the Quorum and the Clerke of the Peace of the same Countie: Vpon which said Sale, Graunt, or Demise, the said Commissioners or any fire or moze of them, shall and may by vertue of this Act, take and retaine to the vse and for the purposes aforesaid, so much as shall amount vnto the Summe and Summes that shall be rated, tared, or assessed and not payed as aforesaid: And if there shall bee any remaine vpon such sale, the same shall be restozed to the Owner or Owners of the Lands so sold, graunted, or demised: And all and euerie such sale, graunt, and demise to made, shall bee good and effectuell to all and euerie Purchaser and Purchasers, his and their Heires and Assignes, according to the purpozt and effect thereof: And the said Purchasers their Heires and Assignes, shall and may by vertue thereof, and of this Act, haue, hold, and enioy the same against the said person and persons, for whose default, neglect, or offence the same were sold, graunted, or demised, and against his heires, and against all and euerie person and persons, that shall stand or be seised or possessed thereof, to the vse or behoofe of such person or persons, or in trust for them, or to the intent that the same shall remaine or bee at the disposall of the said person or persons. Doubted alwaies, that if the said person or persons who shall haue made such default of payment, or rendzing of him or themselves, shall at any time befoze such sale made, pay, or cause to be payed to the said Commissioners, or any fire or moze of them, the said Summes of money and all paines and penalties befoze that time set or imposed vpon him or them, by force of the said Commission and of this Act, and then not payed or satisfied, that then it shall not bee lawfull for the said

In what case the Commissioners may sell or let to farme the land of the party tared.

I reliefe for the offender paying the money assessed and the penalties imposed vpon him.

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saide Commissioners or any of them, for or in respect of such default to make sale of any of his or their said Lands or Premises, any thing in this Act contained to the contrarie thereof in any wise notwithstanding: Having to all other person and persons, bodies politicke or corporate, their Heires and Successors, Executors and Assignes, all such Right, Title, Estate, Interest, and Demaund, as they or any of them had, or should or ought to have, of, in, to, or out of any such Lands, Meadowes, Pastures, and other the Premises so to be sold, graunted, or demised as aforesaid, as if no such sale, graunt or demise had ever been had or made, any thing in this present Act contained to the contrarie in any wise notwithstanding. 7. Jac. 20.

A saving of the right of others.

30 The Sherifes of the said Counties of Norfolk and Suffolke, and either of them, shall cause to come before the said Commissioners, or any five or more of them, at such times and places, as the said Commissioners, or any five or more of them, shall appoint such and so many good men of their severall Wapliwikes as well within Liberties as without, to whom the trueth may be best knownen so enquire of the Premises mentioned in this Act, which men for their severall defaults, shall loose and forfeit such Fines and Summes of Money, not exceeding the Summe of tenne shillings of lawfull Money of England, for one default, as by the said Commissioners, or any five or more of them, shall be set or imposed upon them, which shall and may be levied by distresse, and sale of goods onely: And for refusing to make enquire, and for other contempts, shall forfeit and loose such reasonable Fines, and Summes of Money, as by the said Commissioners, or any five or more of them, shall be imposed upon them, which shall and may be levied by distresse, sale of goods and imprisonment, in such manner and forme, as for the levying of the summes of money to be rated, taxed, or assessed, is before limited and appointed. And all Sherifes, Bailifes, Officers and Ministers whatsoever of our Soueraigne Lord the King his heires and Successors within the counties aforesaid, as well within liberties as without, shalbe from time to time attendant, aiding, and assisting, to the said Commissioners, and everie five or more of them, for and concerning all such things, as shall concerne their severall Offices and places respectively, in or about the execution of all things contained in this Act: Upon paine to forfeit such paines, penalties, fines, and summes of money, as shall be set or imposed upon them, or any of them by the said Commissioners, or any five or more of them, for or in respect of their, or any of their Contempts, Misdoing or Negligences in that behalfe, which said Paines, Penalties, Fines and Summes of Money shall and may be levied by Distresse, sale of goods and imprisonment, as the said Summes before mentioned to be rated, taxed, or assessed, are appointed to be levied: And the said Fines, Paines, Penalties, Fines and Summes of Money, set or imposed upon the said good men, Sherifes, Waplfes, Officers, and other Ministers shall be employed and disposed of, in such manner and forme, as the said Summes to be rated, taxed or assessed, are before appointed to be employed and disposed of. 7. Jac. 20.

The Sherifes of Norfolk & Suffolke shall returne Jurors before the Commissioners

Fines lost by Jurors & how they shall be recovered.

All Sherifes & officers shall attend & aide the Commissioners.

How the fines & penalties shalbe employed.

31 The said Commissioners or any five or more of them, shall have power and authoritie by force and vertue of this Act to call before them or any five or more of them, the Collectors, Receivours, Treasurers, Expenditors, Waplfes and other Officers and Ministers which shall be employed, or have dealing in, and about the said works, or any other thing concerning this Act, or the execution thereof in any sort, and to require and take of them, and everie of them accompts upon their Othes, of all their, and everie of their Receipts, Collections, Payments, Disbursements and other doings concerning the same. And if the said Collectors, Receivours, Treasurers, Expenditors, Waplfes, or any other the Officers and Ministers aforesaid, shall happen to bee found in arerages either

The Commissioners may take accompt of inferior Officers.

Sewers.

in monies or materials, received, or otherwise, then in such case they shall make payment, and give satisfaction in that behalfe, according to such order and direction, as by the said Commissioners or any five or more of them, in writing under their hands and seales, shall be made and set downe: And in default of performance thereof, such Officers and Ministers shall be by Warrant under the hands and seales of the said Commissioners or any five or more of them, distrained by their goods and chattells, and the same to be sold as aforesaid: And in default of such Distresse to be found, it shall be lawfull for the said Commissioners or any five or more of them, to commit such Offendo or Offendours to the common Gaole of the said Countie, there to remaine untill they have paid all such arerages and summes of money, and other things so found to be remaining in their hands, according to the order of the said Commissioners, or any five or more of them, to be made as aforesaid. 7.Iac.20.

A remedie if any of the officers do die before his account made, or the arerages of his account paid.

32 If any of the said Collectoꝝ, Receiuours, Treasuroꝝ, or other Officers or Ministers which ought to account by the true meaning of this Act, shall die before his or their Account shall be made as aforesaid, in euerie such case the said Commissioners, or any five or more of them, may call before them, or any five or more of them, the Executors and Administratoꝝ of such Collectoꝝ, Receiuours, Treasuroꝝ, Expeditoꝝ, Waylifes, and other Officers and Ministers, and require and take of them and euerie of them Account of all and euerie the said Receipts, Collections, Payments, Disbursements, and other doings concerning the same: And if vpon the same Account any thing shall be found in Arerages, or if the said Collectoꝝ, Receiuours, Treasuroꝝ, Waylifes or other Officers or Ministers having made his or their Account shall die before such time, as the Arerages that shall be found vpon the same Account shall be paid or satisfied, then in euerie such case the said Arerages, by warrant of the said Commissioners, or any five or more of them shall and may be leuied by Distresse and Sale of the goods and chattells that were the said Collectoꝝ, Receiuours, Treasuroꝝ, Expeditoꝝ, Waylifes or other Officers or Ministers at the time of their seuerall deaths: And if the sayd Executors or Administratoꝝ or any of them shall have wasted the goods and chattells that were the sayd Collectoꝝ, Receiuours, Treasuroꝝ, Expeditoꝝ, Waylifes or other Officers or Ministers, then so much of the said Arerages as the said goods and chattells so wasted shall amount vnto, shall and may be leuied by Distresse, and Sale of the proper goods and chattells of the said Executors or Administratoꝝ as aforesaid: And if the said Executors or Administratoꝝ shall have no goods or chattells of their owne in the said Countie of Norfolk and Suffolke, or one of them, whereby the same Arerages may be leuied as aforesaid, then it shall and may be lawfull for the said Commissioners or any five or more of them, by warrant under the hands and seales of any five or more of them, to commit the same Executors or Administratoꝝ to the common Gaole of the said Countie of Norfolk or Suffolke, there to remaine without Bayle or Paineprise, untill they shall have paid and satisfied so much as the said goods or chattells so wasted shall amount vnto, according to the order of the same Commissioners. 7.Iac.20.

A remedie if the Executors or Administratoꝝ of an Accountant hath wasted his goods.

The punishment of an Accountant that refuseth to account.

33 If the said Collectoꝝ, Receiuours, Treasuroꝝ, Waylifes, Ministers, or other Officers, their Executors, Administratoꝝ, or any of them, being required by the said Commissioners, or any five or more of them, or by any other being thereunto authorized by warrant of the said Commissioners, or any five or more of them, shall refuse or neglect to render such Account as aforesaid, then from time to time it shall and may be lawfull, to and for the said Commissioners or any five or more of them, under their Hands and Seales to commit the person and persons (so refusing or neglecting) to the Common Gaole of the said Countie of

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pozfolke o2 Suffolke, there to remaine without baile o2 mainprife until he o2 they shall haue made such accompt as afozeſaid. 7. Iac. 20.

34 If the ſaid Collecto2s, Receiuours, Treasu2ours, Exp2ndito2s, Baylifes o2 other Officers o2 Miniſters, o2 any of them, ſhall die hauing any ſumme o2 ſummes of money, o2 other thing in his o2 their hands, which ought to be imployed in o2 about the wo2kes afozeſaid by vertue of this Act, And whereof he o2 they hath not, o2 haue not accompted, o2 hauiing accompted was found in arerages, and any Action o2 Suite fo2 any debt due by him o2 them, ſhall be p2oſecuted againſt the Executo2s o2 Adminiſtrato2s of them o2 any of them, befoze ſuch time as ſuch ſummes of money and other things ſhall be ſatiſſied and paid, according to the true meaning of this Act, the ſame Executo2s o2 Adminiſtrato2s may plead that the partie deceaſed whole Executo2s o2 Adminiſtrato2s they are, had in his hands at the time of his death ſuch ſummes of money, o2 ſuch things of a certaine value, and ſhew how much, which ought to be imployed according to this to this Act, And that the ſame are not accompted fo2, o2 are accompted fo2 and not paid, o2 answered fo2, and that ſuer and aboue thoſe ſummes they haue no goods o2 chattells that were the ſaid perſons deceaſed, at the time of his death, o2 goods and chattells but of a certaine value, not amounting to the ſumme demaunded, which plea ſhall be allowed good in law, in as much as the deceaſed was but a keeper of thoſe ſummes and other things, and therefore the ſame ought not to be liable to his debts: And in caſe ſuch Action o2 ſuit ſhall be commenced after payment and ſatiſſaction of the ſaid ſummes and other things by the ſaid Executo2s o2 Adminiſtrato2s, then the ſaid Executo2s o2 Adminiſtrato2s may plead that they fully adminiſtered all the goods and chattells that were the ſaid perſons deceaſed, & that they haue no goods o2 chattells, o2 no goods o2 chattells beſides ſuch goods and chattells of a certaine value, not amounting to the ſum demaunded, as their caſes ſhall reſpectuely require, without ſhewing o2 alleaging this Act, o2 any other particularitie o2 circumſtance in that behalf, vpon ſuch pleas iſſue may be ioyned, and vpon trial of the ſame iſſue the whole matter ſhall be giuen in euidence on both parts according to the very truth therof: And if vpon the ſame trial it ſhal be found, that the ſaid executo2s o2 adminiſtrato2s haue paid ſuch ſummes as afozeſaid, the ſame ſhal be allowed as a good and lawfull adminiſtration: And if it be found that they haue no other goods o2 chattells then as afozeſaid, thereupon in ſuch caſes the ſaid executo2s o2 adminiſtrato2s ſhall haue ſuch iudgement as in the like caſes by on trial of the like iſſues is accuſtomed by the ordinarie courſe of the common law: Any debts of what kind ſoener that were owing by the ſaid perſons deceaſed notwithstanding. 7. Iac. 20.

If any Accountant die owing moncy to theſe vles, and alſo to other perſons:

35 If any action of treſpaſſe, o2 other ſuit ſhall happen to be attempted, and brought, againſt any perſon o2 perſons fo2 taking any diſtreſſe, making of any ſale, impziſoning of any perſon o2 perſons, o2 any other thing doing by authoritie of this act, the defendant o2 defendants in any ſuch action o2 ſuit, ſhall o2 may either plead not guiltie, o2 otherwiſe make auowzie, cogniſance of iuſtification fo2 the taking of the ſaid diſtreſſes, making of ſale, impziſoning, o2 other thing doing by vertue of this act, alleaging in ſuch auowzie, cogniſance o2 iuſtification, that the ſaid diſtreſſe, ſale, impziſonment, o2 other thing, wherof the plaintife o2 plaintifes ſhall complaine was done by authoritie of this act, and according to the tenor, purpozt, and effect of this act, without any expreſſing o2 rehearſall of any matter of circumſtance contained in this act, to which auowzie, cogniſance, o2 iuſtification, the plaintifes ſhalbe admitted to replie, that the defendant did take the ſaid diſtreſſe, make the ſaid ſale o2 impziſonment, o2 did any other act ſuppoſed in his declaration, of his own wrong without any ſuch cauſe alledged by ſaid defendant; whereupon the iſſue in euerie ſuch action ſhall be ioined, to be tried by verdict of xij. men, &

The defendant's plea in any ſuit commenced againſt him fo2 athing done by force of this act.

Sheepe.

not otherwise, as is accustomed in other personall actions: And upon the trial of that issue, the whole matter to be given on both parts in evidence, according to the verie truth of the same, and after such issue tried for the defendant, or non-suit, or discontinuance of the suit of the party plaintife after apparance, the same defendant to recover treble damages by reason of his wrongfull veration in that behalfe, with his costs also in that part sustained, & that to be assessed by the same iurie, or iuror to enquire of the damages, as the same shall require. 7. Jac. 20.

Where the defendant shall recover treble damages. When any land of the county of Suffolke shall be taxed.

36 When & as often as any rate, tax, assessment or charge shall be made, by vertue of the said commission, & this act or either of them, wherewith or wherby any lands, meadowes, marshes or other the premises in the said county of Suffolke, or any person or persons for or in respect of the same shall or ought to be charged, in euerie such case, one or more commissioner or commissioners of the said county of Suffolke, shall be present at the time of the same taxing, rating, assessing, or charging, or shall haue warning given vnto him or them, or left for him or them at his or their dwelling house or houses, of the time & place, when & where the said commissioners shall mete & assemble in and about the execution of this act, or else the same rate, tax, assessment, & charge, in, vpon, or in respect of the said lands, meadowes, marshes & premises in the said county of Suffolke shall be void and of none effect. 7. Jac. 20. This act to continue during the terme of 7 yeares next ensuing the end of this present session of parliament, & from thence to the end of the first session of the then next parliament and no longer: And that neuerthelesse, all things done and executed in the meane time by vertue of this Act, and of the said Commission, shall stand and remaine in force and effect, and be iustifiable, as if this Act had still remained in force, and continued.

1 After a new Riuer shall be brought from springs out of the countie of Hertf. to London, the same shall be subiect to the Commission of Sewers. S. 3. Jac. 18.

Sheepe.

Trespassing of Sheepe.

NO person shall bring, deliuer, send, receiue, or take, or procure to be brought, deliuered, sent, or receiued into any ship, or bottome, any Rams, Sheepe, or Lambes, or any other kind of Sheepe being alive, to be conueyed out of any the Dominions, vpon paine that euerie such person, his aidors, abettors, procurors, and comforters, shall for his first offence forfeit to the King and I. all his goods for euer to be recovered &c. wherein no W. &c. C. D. &c. And further euerie such offender shall suffer imprisonment one whole yeare, without baile or mainprise, and at the yeares end, shall in some open market towne, in the fulnesse of the market on the market day haue his left hand cut off, and that to be nagled vp in the openest place of such market. 8. El. 3.

The second offence Felonie.

2 And euerie person estones offending against this Stat. shall be adiudged a felon, & shall suffer death, as in cases of felonie. But this Act shall not extend to any corruption of blood, or be preiudiciall to any woman claiming dower, by or from any such offender. 8. El. 3. S. Inst. of P. 15.

No person shall keepe about 2000. Sheepe.

3 No person shall keepe, occupie, or haue in his possession, in his owne proper lands, nor in the grounds of any other, which he shall haue or occupie in farme, nor otherwise haue of his owne proper rattell in vse, possession, or proprietie by any maner of meanes, or couin, about the number of 2000. Sheep at one time, within any parts of this Realme, of all sorts and kinds (alwaies accompting by score to the hundred, and ten such hundreds to the thousand) vpon paine to forfeit for euerie Sheepe that any person shall haue or keepe about the number limited by this Act, iij. s. iij. d. to the King and I. &c. to be recovered by A. &c. wherein no W. C. D. &c. But Lambes vnder the age of one whole yeare, and as much as shall be from the

Lambes.

the time of the falling of them, vnto the feast of the Natiuitie of S. John Baptiff, shall not be taken for sheepe prohibited by this statute. 25. H. 8. 13.

4 If any person hauing sheepe of his owne, happen to be made executour, or to be administrator to any person which had sheepe at his death, or happen to be married to any person which shall haue sheepe at the time of the marriage, by reason wherof the said person shall by such meanes haue aboue the said number of 2000. then he shall lose no penaltie for hauing aboue the number of 2000. sheepe by such meanes, so that within one yeare next after such aduancement, he doe put to sale, or otherwise dispose so in any of the said sheepe, so to him aduanced, or else of his owne sheepe that he had befoze, so that aboue one yeare he shall not keepe, haue, or occupie, by any such meanes, or otherwise by any fraud, any moze number of them, then is befoze limited, vpon paine befoze rehearsed. 25. H. 8. 13.

Sheepe coming by Executourship, or marriage.

5 If any person by his last Will giue to any Child within age, any number of sheepe, and appoint them by his last Will to be kept by his executours, or by any other person, vntill the aforesaid child shall come to a certaine age limited by his will: Then after the death of the Testator, the said sheepe so being in the possession of the Executours, or of any other person, to the vse of any such Child within age, for the time that he shall be limited to haue the said sheepe by the will of the Testator, shall not be accompted against the said Executours, nor any person so hauing the sheepe, for the intent aforesaid, any of the number of the said sheepe prohibited by this act. 25. H. 8. 13.

Sheepe giuen by Will to a Child within age.

6 Euerie person being the Kings tempoꝛall subiect, and bozne vnder his obey- sance, which shall haue, or be seised of inheritance, in possession, or in vse, or that shall haue ioynture in vse, or in possession, or shall be tenant in dower, or by the cur- tesie, or, or in any maner of lands, tenements, pastures, feedings, or libertie of foldage, within any part of this Realme of England, Wales, or the Marches of the same, may haue, keepe, and maintaine, vpon the same, his owne demesne lands, and all other his pastures, feeding, and fold-courses, which he so hath, as many his owne sheepe and Lambs, in number to his proper behoofe, as he lawfully might haue had and kept vpon the same at any time befoze the making of this Act. 25. H. 8. 13.

Each person may keepe vpon his inheritance &c. as many sheepe as he will.

7 In case any such person hauing any such estate in vse, or in possession, or, or in any lands, tenements, pastures, feedings, or liberties of foldcourses, doe keepe vpon the same the number of 2000. sheepe, or aboue, then he shall not in any wise keepe or haue any sheepe aboue the number of 2000. vpon any lands, pastures, or feedings, which he shall haue in farme, or otherwise, vpon paine of forfeiture for euerie sheepe, beside the said number of two thousand, iiij. shillings iiij. pence. 25. H. 8. 13.

He that keepeth 2000. sheep vpon his inheritance, shall not keepe any vpon farme.

8 In case the said demesne lands, tenements, pastures, feedings, and liberties of foldcourses, of any person befoze rehearsed, suffice not for the feeding, pasturing, and keeping of 2000. sheepe, then any such person may haue or feed vpon the said demesne lands, & vpon his farme holds (which he lawfully may haue) to the said number of 2000. sheepe, and not aboue, vpon paine of forfeit. for euerie sheepe aboue that number iij. s. iiij. d. 25. H. 8. 13.

2000 kept vpon demesnes & farmes.

9 It shall be lawfull to euerie person keeping a household, to haue from time to time such conuenient number of sheepe, aboue the number expessed in this Act, as shall be necessarie for the onely expences of his household, to be prouided, kept, and fed, in, and vpon his owne lands, or other lands, such as he lawfully can prouide for, in farme, or otherwise, so that he at no time shall haue for the expence of his household, or by colour of the same, aboue the number to him limited by this act, any number of sheepe, moe then shall suffice for the onely expences of his household

Sheep for the maintenance of house, aboue 2000.

Sheepe. Ships, Shipping.

Spiritual persons.

for one yeare, without fraud or conin. 25. H. 8. 13.

10 It is lawfull for all Spiritual persons, to keepe such, and as many Sheepe upon their owne lands, and after such maner, and none otherwise, as they might haue done befoze the making of this Act. 25. H. 8. 13.

Foldcours in Port. and Suffolke.

11 No Lord, owner, or farmer, of any libertie of foldcours, within any town, Tything, billage, or hamlet, within any of the Counties of Suffolke & Suffolke, shall take in ferme for terme of yeares, or otherwise, any quillet of land, or pasture, that is to say, any number of acres of land, or pasture, appertaining to any other person or persons, lying within the limit, extent, or precinct of the said libertie of the said foldcourse, but he shall suffer the said person being for the time owner, or lessee of the said quillet, to manure and pasture the same, and also suffer the Sheepe of the said owner or farmer of the said quillet, after the rate of the same quillet, to go with the flocke of the owner, farmer, or occupier of the said libertie, paying the customarie charges for the keeping and feeding of the same, after the rate and vse of the Countrie there commonly used, without any interruption therein to be made by the said owner, farmer, or occupier of the said libertie, upon paine of forfeiture for euery time that any such person hauing any such quillet, that shall be disturbed of keeping or pasturing any of his Sheepe, so to be fed and kept after the rate of his quillet, for euery such Sheepe iij. s. iij. d. But this Branch concerning quillits, shall not be auileable to any owner, or occupier, of any such quillet, to claime or vse any such pasture or feeding of Sheepe in any such foldcours, but onely where the tenants, owners, & occupiers of any such quillits, haue had, or might haue had heretofore, and of duetie used to haue feeding in the said foldcours, by reason of their occupations of the same quillits, and none otherwise. And where they haue not used, ne ought to haue any Sheepe kept within any such foldcours, by reason of the said tenures, the owners, or occupiers of such foldcours, may take such quillits lying within their foldcours in ferme, agreeing with the owners or occupiers of the said quillits for the same. 25. H. 8. 13.

Within what time the suit shall be commenced.

12 No person shall be put to any answer, or losse of any forfeiture, by vertue of this Act, at the suit of any the Kings subiects, by Action, Bill, Plaint, Information, &c. except the suit be commenced within one yeare next after the offence committed, nor by reason of any Presentment, Action, or Information, at the Kings suit, except the same be made for the king within three yeares next after offence committed. 25. H. 8. 13. S. Actions popular 2. Iustices of P. 85.

1 In what sort, at what time, and how many sheepe any Purueyors may take at one time S. Purueyors 9.

Ships, Shipping.

Transporting of fish taken in English mens Ships. Transporting of fish without payment of Customs.

It is lawfull to euery of the Queenes Subiects at his pleasure, to carie & transport out of this Realme, in the Ships or other Vessels of any of the Subiects aforesaid, being with crosse sailes, all and euery kinds of Herring, and other Sea Fish to be taken upon the Seas, by any of the said Subiects. And euery person which shall by vertue of this Act, transport any Herring, or other sea fish, from any Port or Harbrough of this Realme, to any place out of the Queenes Dominions, shall be free from payment of any subsidie, custome, or pondage money, for the same fish so transported, during the space of five yeares, from the end of the Session of the Parliament begun and holden 2. Aprilis, An 13. Eliz. and from thence to the end of the next Parliament after the said five yerres to be summoned, & from thence during the Queenes pleasure. An 5. Eliz. 5. 13. Eliz. 11. But neither the Maiors, Burgeses, nor Inhabitants of Kingston upon Hull, shall take aduantage of this Stat. for carrying Herrings, or salted fish to any ports beyond the Sea. 5. Eliz. 5.

2 It is not lawfull to any person in any place within this Realme, to set price, make any restraint, or take, or demand toll or fare, of anie Sea fish brought into this Realme, being taken by anie of the Queenes subjects, in Shippes or other vessels of the same subjects, vpon paine to euerie person offending contrarie to the meaning hereof, to forfeit the value of the Fish so restrained, priced, tolled, or tared: Any libertie, custome, graunt, priuiledge &c. notwithstanding. But this Act shal not be prejudiciall to the Mayo, Burgeses, &c. or to any other Officer of Kingstone vpon Hull, but euerie of them may take all such Toll, customes, and summes of money of euerie such person as is limited in an Act made 33. Hen. 8. 33. 5. Eliz. 5.

No price shall be set, or toll taken of fish taken in English mens ships.

3 It shall not be lawfull to any person, to cause to be loaden and caried in anie bottome, whereof anie stranger or strangers bozne then be owners, shipmasters, or part owners, any things of what kind or nature (soeuer they be, from one port or creeke of this Realme, to another of the same Realme, vpon paine to forfeit all the goods so laden, or caried, or the value thereof. 5. El. 5.

Conueying in strangers ships from one Port to another.

4 No person shall bring into this Realme of England, or any part of the same, anie Wine comming out of any of the countries belonging to the Crowne of Fraunce, or any Wood, called Wholose Wood, in anie other vessell, but onely in such whereof some subiect of the Queenes &c. shall be then onely owner, or part owner, vpon paine to forfeit all Wines and Wood brought contrarie to the meaning hereof (according to the true meaning of a statute made 4. Hen. 7. 10. concerning wine of the Duchie of Gascoine and Guyon) except, that there may be brought into Wales, or anie part within the countie of Monmouth, Rochell Wines. 5. Eliz. 5.

No French wine or Wholose Wood shall be brought in strangers ships.

5 But it shall be lawfull for any person or persons being strangers bozne, to bring yearely in any ship or vessell, whereof any stranger or strangers bozne shall be owner &c. into any of the hauens, ports, or townes of the Isle of Man, any wines made in any of the Dominions belonging to the Crowne of France, and in any of the same ports, or townes, to discharge the said Wine so brought, so that there be not brought and discharged by the same strangers, in any such strangers vessels in anie one yeare, in, or at the said hauens, ports, and townes, or any of them, aboue an hundred Tunnes at the most. In like manner, and vpon the same condition may strangers bozne, bring in strangers ships, any Wines made in the Dominions of Fraunce, into the hauens, ports, and townes of Chepstow and Newport in the countie of Monmouth, and of Cardife, Carnaruan, Beadonaries, and other ports, hauens, and townes of Southwales, and Port h Wales, or any of them, ouer and beside all Rochell Wines heretofore allowed in this Act, to be brought &c. Saving to the Queene, her heires &c. all such duties as she ought to haue for the said wines &c. 5. Eliz. 5. 1. Jac. 2. 5. to continue to the end of the first session of the next Parliament.

wine brought in strangers ships.

6 No person bring any Ship, Boat, or vessell called Catche, Honger, or Picard, or other vessell of like vse, shall in time of common fishing vpon the sea coasts of Dorsetholke, and Suffolke, betweene the xiiij. day of Septemb. and the xiiij. day of Nouemb. from sunne setting, to sunne rising, anker vpon the maine sea, or in the common streame, or trade of fishing, where the Fishermen vse to driue, vpon paine to forfeit their Catche, Honger, Picard &c. with the tackle, and all the fish in the same, or the value thereof: The one halfe to the Qu. her heires &c. the other halfe to the Baylife, Burgeses, and comminaltie of great Harmouth, to be employed to the recompensing of damages to the partie, whose Nets shall be cut, and to the building and repairing of the decayed haven there, and to be taken by way of seisure, or otherwise to be recovered by A. J. &c. 13. El. 11.

Ankering by on the Sea in fishing time.

1 A Denizen which shippeth anie goods in a Caracke or Gally, shall pay all customes

Sherifes.

stones and subsidies as an Alien. See Customes 2.

2 Where, in what case, and in what maner it shalbe lawfull for the owner of a ship, or a Shipwright, to take an Apprentice. S. Labourers 30.

3 At what time and place the Master of a ship shall receiue and discharge his loading. S. Merchants 5. 6.

4 A Master of a ship shall giue notice to a Customer of his loading, time of departing &c. S. Merchants 7. 8.

5 The master of a ship shall not permit any Brasse, Metall &c. to be transported, but shall disclose the same. S. Brasse 3.

6 A ship shall be forfeited wherein is transported Corne, Beere, Butter, Cheeke, Herring or Wood, without licence. S. Corne 1.

7 In what case a ship shall be forfeited, wherein is transported any Leather, or raw Hides. S. Leather 50.

Sherifes.

A Sherife
must haue suf-
ficient land.

Such shall be
Sherifes as
may attend.

The Sherife
shall continue
within his
Countie.
None shall be
Sherife, or
Undersherife
about one
yeare.

Patents of
Sherifswike.

In what case
a Sherife may
occupie about
one yeare.

NO man shalbe Sherife, Baylife of Hundred, Wapentake, or Franchise, or vnder Cschet, in any countie, except he haue land sufficient in the same county, to answer the k. and his people. 6. Ed. 2. 4. Ed. 3. 4. 5. Ed. 3. 5.

2 No Steward or Baylife of any great Lord, shall be made Sherife, except he be put forth of seruice: But such a Sherife shalbe appointed, which may wholly attend to serue the k. and his people. Lincoln 9. Ed. 2.

3 Euerie Sherife within England shall dwell in his proper person within his Bayliwike, for the time he shall be officer. 4. H. 4. 5.

4 No Sherife, Undersherife, or Sherifes Clerkes, shall remaine in his Bayliwike or office, above one yeare, and after that yeare, another fit and sufficient person shall be ordained in his place. 14. Ed. 3. 7. 42. Ed. 3. 9. And none that hath bene Sherife of anie countie one whole yeare, shall be appointed Sherife of that countie by the space of thre yeares next ensuing, if there be any other sufficient of lands and goods in the same countie, to answer to the King and his people. 1. Rich. 2. 11. (The Undersherife, and all other Officers within the citie of London, the Undersherife, and all other Officers of Sherifes, within the shire of the towne of Wyke. 6. H. 8. 18. and such counties in which anie persons at the time of the foresaid Statute, made viz. 25. Feb. Anno Domini 1444. were inheritable to the office of Sherife, and the Letters patents made to them of the Office of Sherife, Undersherife, Sherifes Clerke onely except. 23. Hen. 6. 8.) And if anie Sherife, Undersherife, or Sherifes clerke, doe occupie the office of Sherife, Undersherife, or Sherifes clerke, contrarie to the foresaid statutes, or contrarie to the effect or intent of anie of them (except before excepted) then he shall forfeit 200. l. yearly, as long as he doth so occupie. And euerie Wardon made for such offence, occupation, or forfeiture of the summes before recited, shall be void. And all Patents to be made of any of the said offices for terme of yeares, for terme of life, in fee simple, or in fee taile, to any of the Kings liege people (except before excepted) shalbe void, notwithstanding any clause or sentence of Non obstante put in such Patents. And whosoever doth take vpon him to receiue, or occupie the said Office of Sherife, by vertue of anie such graunts, or Patents, for terme of yeares, for terme of life, in fee simple, or fee taile, shall be for euer disabled to be, or beare the Office of Sherife in anie countie of England. And euerie of the Kings liege people which will, may sue for the said summe forfeited against him which doth forfeit the same, in an action of debt in his owne name, and the k. shall haue the moitie of all that which is recovered, and he that sueth the other. 23. H. 6. 8. But euerie old Sherife of euerie countie, hath full authoritie, as well lawfully to execute and returne euerie writ,

Writ, pzecept, or warrant, in euerie of the B. courts of recozd at Westm. deliuered to him, as to doe and execute euerie other thing, which to the office of Sherife lawfully pertaineith at all times during Michaelmas terme, and Hillarie terme, vnlesse he be befoze the same time lawfully discharged of his occupation of Sherife, without sustaining any damage, forfeiture, or paine. 12. Ed. 4. 1. 17. Ed. 4. 6.

5 No Sherife shall let to ferme in any maner his county, nor any of his Bayliwikes, Hundreds, or Wapentakes. And the Sherife (among other Articles comprised in his oath) shall be from time to time swozne, that he shall not let his Bayliwike to ferme. 4. H. 4. 5. 23. H. 6. 10.

The Sherife shall not let his countie or bayliwike to ferme.

6 No Sherife, Undersherife, Baylife of Franchise, nor anie other Baylife, by occasion, or vnder colour of his office, shall take any other thing by themselves, or by any other person to their vse, or profit, of anie person, by any of them arrested, or attached, nor of any other for them, for the omitting of any arrest, or attachment to be made by their bodies, or of any person by any of them, by force or colour of their office arrested, or attached, for fine, fee, mainepise, letting to baile, or for the giving anie ease or fauour to any such person so arrested, for their reward or profit, but such as folloiweth: viz. the Sherife xx. s. the Baylife which maketh the arrest, or attachment iiii. s. and the Gaoler (if the prisoner be committed to his ward) iiii. s. 23. H. 6. 10.

The Sherife and his Baylives fees for arrests.

7 The Sherife, Undersherife, Sherifes clerke, Steward, or Baylife of Franchise, servant to the Baylife, or Coroner, shall not take by colour of his Office, by himselfe, nor by any other person to his vse, any thing of any person for the making of any retorne or panell. And for the Copie of a panell foure pence. 23. H. 6. 10.

The Sherifes due for making a copie of a panell.

8 The Sherifes, and all other officers and ministers aforesaid, shall let out of prison, all manner of persons by any of them arrested, or being in their ward, by force of any writ, bill, or warrant, in any action personal, or by reason of any Indictment of trespassse, vpon reasonable suertie of sufficient persons, hauing sufficient within those counties where such persons be so let to baile or mainpise, to keepe their daies in such places, where the said writs, bills, or warrants doe enquire (only except those persons which shall be in their ward by condemnation, execution, Capias vlagatum, or Excommunicatum, suertie of peace, and all such persons which shall be committed to ward by the speciall commandement of any Just. and Mag. bonds &c.) But if the Sherifes retorne vpon any person, Capi corpus, or Reddite se, they shall be chargeable to haue the bodies of the said persons at the dayes of the retorne of the said writs, bills, or warrants, in such maner, as they were chargeable befoze the making of this act. 23. H. 6. 10.

Bailing of prisoners, or persons arrested.

9 No Sherife, nor none of the officers or ministers aforesaid, shall take, or cause to be taken, or made, any Obligation, for any cause aforesaid, or by colour of their office, but onely to themselves, of any person, nor by any person which shall be in their ward, by course of the law, but in the name of their office, and vpon condition written, that the said prisoners shall appeare at the day contained in the said writs, bill, or warrant, and in such places as the said writs, bills or warrants shall require. And if any of the said Sherifes, or other officers aforesaid, take any Obligation in any other forme by colour of their offices, it shall be void. And he shall take no more for the making of any such Obligation, warrant, or pzecept, by him to be made, but iiii. s. 26. H. 6. 10.

The Sherife returning Capi corpus, vel Reddite se.

Obligation for apparance

10 Euerie of the said Sherifes shall make yerely a Deputie of Recozd in the B. court of Chauncerie, B. Bench, common Pless, and in the Erchequer, befoze that they shall retorne any writs, to receiue all maner of writs, and warrants to be deliuered vnto them. 23. H. 6. 10. And euerie Sherife of euerie the twelue counties in Wales, and of the counties Palatine of Lancaster, Chester, and the citie of Chester shall

The Sherife shall make a Deputie in euerie Court.

Sherifes.

shall haue in the R. Bench, and common places, one sufficient deputie at the least. 5. 6. 26. S. Exigent 7.

Forsfeitures.

11 All Sherifes, Undersherifes, Clerkes, Baylifes, Gaolers, Cozoners, Stewards, Bailifes of franchises, or any other officers, or ministers, which doe contrary to this foresaid ordinance made 23. H. 6. 10. in any point of the same, shall lose to the party in this behalfe indamaged or griued his treble damages, and shall forf. xl. l. at euerie time that any of them do the contrary in any point of the same, wherof the King shal haue the one halfe, to be imployed only to the vse of his house, and the partie that wil sue, the other halfe. But the Warden of the Flate, and of the Kings palace at Westm. for the time being, shall not be preiudiced by this ordinance in his dutie of his office. 23. H. 6. 10. S. Iustices of peace 90.

Wardens of the Fleet, and of the Palace at Westm.

The order of Indictments taken in Sherifes Turnes

12 Sherifes in their Turnes, & otherwise, when they haue to inquire of malefactours by the R. commandement, or by vertue of their office, shall make such inquisitions of those offendours by xij. lawfull men at the least, which shall put their seales to those Inquisitions (and the Roll of the Inquisition shall be indented, whereof one part shall remaine with the Indictours, and the other with the Sherife, or other which taketh the enquest, so that the Indictment shall not be imbeziled. 1. Ed. 3. 16.) And if the Sherifes do imprison any other then those which be indicted by such inquisitions, they which be so imprisoned shall haue their action of false imprisonment against the Sherife, as they should haue against any other person which should imprison them without warrant. And the foresaid ordinance prouided for Sherifes shall be obserued of euerie Baylife of libertie. W. 2. 13. E. 1. 13. But if any Indictments or Presentments shall be taken befoze anie Sherifes of Counties, their Undersherifes, clerkes, baylifes, or ministers, at their Turnes or Lawdayes, they nor none of them haue power to attach, arrest, or put in prison, or to leuie anie fines or americiaments of any person or persons so indicted or presented, by reason or colour of anie such indictment or presentment, nor to take of anie such person so indicted or presented any fine or ransome, but they shall bring and deliuer all such indictments and presentments to the J. of P. at their next session of the peace, that shal be holden in the countie where such indictments & presentments shall be taken. And if any of the said Sherifes, Undersherifes, their clerkes, baylifes, and ministers doe not bring, deliuer and present all such indictments or presentments so taken befoze them in their Turnes, or Lawdayes, at such sessions of the peace, befoze the said J. of the P. then they and euery of them that so shal faile therof, shall forf. to the R. xl. l. at euery time that they or any of them doth contrarie. 1. E. 4. 2.

Indictments taken in the Sherifes Turnes shall be deliuered to the Just. of P.

Just. shall award proces against those which be indicted in the Sherifes Turne.

13 The said Iustices of Peace haue authorizty to award proces vpon all such indictments and presentments, as the law doth require, and in like forme as if the same were taken befoze the said Iustices in the said Countie. And also to arraigne and deliuer all such persons so indicted and presented befoze the said Sherifes, Undersherifes, their Clerkes, Baylifes, and ministers, or anie of them, in their said Turnes or Lawdayes. And euery person which shall be indicted or presented of trespasse, shall make such a fine as shall seme lawfull by the discretion of the same Just. 1. E. 4. 2.

Excreats re-delivered to the Sherifes by the Justices.

14 The Excreats of the said fines and americiaments shall bee inrolled, and by Indenture deliuered to the said Sherifes, Undersherifes, their Clerkes, Baylifes, or ministers, or some of them, to the vse and profit of him that was Sherife in the said Countie, at the time of such Indictments or Presentments taken. And if any of the said Sherifes, their Undersherifes, clerkes, baylifes, or ministers, doe arrest, attach, or put in prison, or cause any fine or ransome, to be taken, or leuie anie americiament of anie person so indicted or presented, by reason of any such Indictment or Presentment, taken befoze them at their Turnes or Lawdayes, befoze that they haue proces from the said Iustices of Peace, or Excreats deliuered out of the said

Indict

Indictments or Presentments : When the said Sherife which so doth, shall forfeit an hundred pounds : The one halfe to be imployed to the expenses of the Kings house, and the other to the partie indamaged, which shall haue an Action of debt at the Common Law, and like Proces as in Action of debt, wherein no W. & C. P. & c. 1. E. 4. 2.

15 But this Act doth not extend to the Sherifes of London, concerning anie Indictments or Presentments taken within the said citie. Nor to any person which hath Grants of any Fines or Amerciements, by anie Letters Patents of anie of the Kings progenitors, bearing date before the tenth day of December, Anno 1. Edw. 4. & Anno Dom 1461. Nor to anie person hauing any Liberties or Franchises by any of the said Letters patents, or in any other maner by prescription. 1. E. 4. 2.

Sherifes of London.
Grantes of fines.

16 So Sherifes, Undersherifes, Shire clerkes, neyther anie person in their names, nor by their commandement, shall take and enter anie plaints in their bookes, in any mans name, vnlesse the partie plaintife be in proper person present in the courts, or else by a sufficient Attorney or Deputie that is knowne to bee of good name and disposition. And the same plaintife shall find pledges to pursue his said plaint, such persons as are knowne there in that countie. And the plaintife shall haue but one plaint for one trespasse, or contract, and if the said Sherifes, Undersherifes, Shire clerke, take, enter, or cause to be entred, any moe plaints, then the plaintife supposed that he hath cause of action against the defendant : When the said Sherife, Undersherife, &c. that offendeth, shall forfeit for euerie default xl. s. to the King and J. & c. to be recovered in the Exchequer. And ouer that, the Iustices of Peace in the same countie, and euerie of them, haue authoritie vpon complaint made by the partie so vnlawfully grieved, to examine the said Sherifes, Undersherifs, or Shire clerke, and plaintifes : And if they, or one of them find by the examination, default in the said Sherife &c. in entring of the said plaints deceitfully for his aduantage, contrarie to this Act, When the said Sherife &c. shall be conuict and attaint of the same offence, without further inquirie, and he shal forfeit vpon the same examination xl. s. to the K. for euery default : and the said Iustice that so shall take the examination, shall certifie the same within a quarter of a yeare, into the Exchequer, vpon paine of xl. s. 11. H. 7. 15.

No plaints shal be entred, but where the plaintife or his Attorney is present Pl: gij de prosequendo.

Entring of moe plaints then the plaintife hath cause of action.

Examination by the Iust of Peace.

17 The said Sherifes, Undersherifes, and Shire clerkes, shall make, or cause to be made, a sufficient precept to the Baylifes of the hundred, to attach, summon, and warne the defendants that are so in suit, to appeare and answer to the said plaints. And if there be any default in the said Baylifes, in warning of the said defendants, or in executing their office, then the same Baylifes shall forfeit for euerie default to the K. xl. s. and be attainted thereof by like examination of the Iust. of P. or euery of them, as is before rehearsed. 11. H. 7. 15.

Execution of precepts by Baylifes.

18 Sherifes, Undersherifes, Shire clerkes, and their deputies, shall make none C'treats, to leuie the said Sherifes americiaments, vntill two Iustices of Peace, (whereof one shal be of the Quorum) haue had the view and oversight of their books, and that the C'treats be indented betwixt the said Iustices, and the said Sherifes, and Undersherifes, and sealed with their seales, the one part to remaine with the said Iustices, and the other part with the said Sherifes, or Undersherifes, for the intent to vnderstand, if any deceit or vnttrue demeaning be in them in making of their bookes. 11. H. 7. 15.

Two Iustices shall view the Sherifes C'treats.

19 Whole persons which shall be gatherers of the same americiaments, as Baylifes, or other officers, shall be sworn by the said Iustices, that they shall take no more money then is forfeited and contained in the said C'treats sealed with the seales of the said Iustices, vpon the same paine of forfeiture, as before is rehearsed, thereof the same gatherers to be conuict by the examination of the Iustices, or one

Baylifes shall be sworn to gather but what is due:

Sherifes.

one of them &c. 11. H. 7. 15. Neither shall any Sherife be charged to leuie any issues, nor shall leuie any befoze the same goe out of the Exchequer by **Excheats**. And euerie man shall be charged of those issues forfeited, as well as of amerciaments. And if the Sherife will returne the issues of any Recognisoz, pledge, or mainpernor, which at the time of the returne, was not sufficient to answer the said issues and amerciaments, the Sherife himselfe shall answer, and shall be therewith charged in the Exchequer. And if the Sherife returne the names of any Mainpernor, Juroz, or other, but according to the tenor of the writs to him directed, or doe returne the names of any pledges, except the same pledges doe thereunto consent, he shall be grievously punished. 27. E. 1. Stat. de Finibus.

The Sherife shall execute his warrant, and no more.

Justices assigned to oversee the Sherifes excheats.

20 The Justices of Peace shall be appointed and named at the generall Session after the feast of S. Michael, by him that is Custos Rotulorum of the said countie, or else by the eldest of the Quorum in his absence, to haue the oversight and controulment of the said Sherifes, Undersherifes, and Shire Clerkes, and other of the said officers, and of the said Sherifes amerciaments. And the said Justices of Peace upon suggestion or information of the partie grieved, shall make like pproses, as in action of trespassse against the said Sherifes, Undersherifes, or Shire clerks, and other the aforesaid officers misdemeaning as is aforesaid, for to appeare befoze them to answer to the said suggestion, or information. 11. H. 7. 15.

No Sherife shall be Just. of P. in the same Countie.

21 No person having, using, or exercising the office of a Sherife of any countie or counties, shall exercise the office of a Justice of the Peace, by force of any Commission, or other wise, in any countie or counties where he shall be Sherife, during the time onely that he shall use or exercise the said office of Sherifewike, and euerie act done by authoritie of any Commission of the peace, during the time aforesaid, shall be void. 1. M. 1. Parliament 8.

4. Deputies to make Repleuies.

22 If the Sherife of any Shire (being no Citie, or Towne made Shire) doe not within two moneths after he hath receined his Patent of Sherifewike, appoint and proclaime in the Shire-Towne foure Deputies at the least, one dwelling not aboue twelue myles distant from another, in the Sherifes name to make Repleuies and deliuerance of distresses, in such manner and forme as the Sherife may or ought to doe, he shall forfeit for euerie moneth that he shall lacke such deputies, 6. P. to the D. and J. to be recovered by A. &c. wherein no W. &c. C. P. &c. 1. & 2. P. & M. 12.

Wrongfull seizure of another mans lands or goods

23 If any Sherife, Escheator, or other officer of the K. do seise the lands, goods, or cattels of any man, surmising that he is outlawed, because hee is of the same name that some other person is, which is outlawed, the partie shall haue a Writ of Idempnitie nominis, and shall find suertie to the Sherife, or other officer which hath warrant to seise, to answer to the K. the value of the goods or cattels, in case he cannot discharge himselfe, without any thing theretoze paying. And if the Sherife, or other officer &c. both not take the same, the partie grieved may haue his suit against him, and recover his double damages: And also the said Officer shall receive grievous punishments at the Kings hands. 37. E. 3. 2. And the writ of Idempnitie nominis, is maintainable for the executors of euery Testator, as well as the same Action was befoze maintainable by the person himselfe, which was molested by cause or colour of any outlawrie. 9. H. 6. 4.

Idempnitie nominis.

The Sherife shall not seise the goods of a prisoner, until he be attainted.

24 If any Sherife, Undersherife, Escheator, Bayliffe of Franchise, or other person do take or seise the goods of any person arrested and imprisoned, befoze the same person be convicted or attainted of Felony, according to the Law, or that the same goods be otherwise lawfully forfeited, he shall pay to the partie grieved the double value of the goods so taken or seised, to be recovered by A. of debt, wherein no W. &c. C. P. &c. 1. R. 3. 3.

Bayliffes of Hundredes.

25 Hundredors, viz. Bayliffes of Hundredes, which be knowne and swozne in the

the full Countie, shall make execution of all writs which come to the Sherife, & none others) except it bee in the great default or notorious disturbance of the Hundred, doze) and then other persons which be convenient, & sworne, shall make execution, so that the people may alwaies know, to whom to resort for such execution (saying the returne of writs to them which of right ought &c.) And the same Hundredes shall be credible persons, & shall haue land sufficient in the same Hundred, or in the countie where the Hundred is, so that they shall not need to be extorted. Lincoln. 9. Ed. 2. 2. Ed. 3. 5. Ed. 3. 4. 4. Ed. 3. 9. And the Sherifes shall place such bailifes for whom they wil answer. And so shall those Lords which haue Hundreds and Tithingmen in fee. 14. E. 3. 9.

Bailifes of
Hundredes.

26 They which be Sherifes Bailifes one yere, shall not be in any such office by the space of thre yeres next ensuing, except the bailifes of those Sherifes which haue inheritance in their Sherifswiches. 1. H. 5. 4.

Sherifes
Bailifes.

27 The Sherife shall haue Counter Rolles with the Coroner, as well of appeals, as of enquests, of attachments, & other things which doe belong to the Coroners Office. West. 1. 3. E. 1. 10. But no Sherife, Constable, Escheator, Coroner, or any other Bailife of the Kings, shall hold Plees of the Crowne. Magna Charta 17.

Counter
Rolles with
the Coroner.

28 Where the Sherife ought to returne the writ, to a bailife who hath right to returne the writ, if the bailife of the Franchise doe not make deliuerance of the cattell impounded after the Sherife hath made the returne vnto him, the Sherife shall do his office without delay, vpon pain of for. of double damages. West. 1. 3. E. 1. 17. Malb. 5. 2. H. 3. 21.

Deliuerance
of cattell by
the Sherife.

29 The Queene, her heires or successors Kings and Queenes of this Realme, shall and may yearly choole, and make for euerie of the Counties of Essex and Hertford, Somerset and Dorset, Warwike and Leicesters, Nottingham & Derby, Devon and Berk, one sufficient and able person to be Sherife of the same, in such like maner as is and hath been bled to bee made for any other Countie within this Realme. And euery person which shall be appointed Sherife for any of the said counties shall be accomptable, & bled in the order of his accompt, and all other things and allowance to him made in the exchequer & all other courts and places, in such maner and forme, as is commonly bled for Sherifes in like case. Ann 8. Eliz. 16. 13. El. 22.

Sherifes
wiches
diuided.

30 No Sherife chosen and made of any one of the foresaid Counties shall paie in any Court of Record for any dueitie belonging properly to the Office of Sherife, any other Fees, or Charges, than only the one halfe of the charges and fees which hee should bee compelled to haue paid, if he had bene Sherife of two of the said Shires and Counties, as befoze the making of this Act was bled. 8. Eliz. 16. 13. Eliz. 22.

But halfe the
charges shall
be paid for
Sherifswiches
diuided.

31 Per Stat. 7. R. 2. 6. Euery Sherife of England ought in proper person to make proclamation of the Stat. of Winchester provided 13. Ed. 1. against homicides, burning of houses, robberies, & other felonies, foure times in euerie yere, in euery hundred of his bailiwike, and by his bailifes in euery market, aswell within liberties as without.

The Stat. of
Winchester
proclaimed.

32 All and euerie person and persons, that shall be admitted to, or take vpon him the executing of the office of an Undersherife, in any Shire or Countie, within this Realme of England, befoze he intermeddle with the vse, or exercise of the said Office, shall receiue and take a corporall oath vpon the holy Euangelists, befoze the J. of Assise, or one of them, of the same circuit, wherein that Countie is, whereof he shall be Undersherife, or befoze the Custos Rotulorum, or two J. of the peace, whereof one to be of the Quorum of the said Countie, whereof he shall be Undersherife, as aforesaid, for and concerning the Supremacie in such maner and

Euery Under
sherife shall
be twice
sworne.

Sherifes.

S. Queene 4.

No reward
for the impan-
nelling of an
inquest.

and forme, as that Oath is expessed and declared in one Act of Parliament made and ordained, An. 1. Eliz. Together with which Oath, he shall in like sort, before the same person or persons, receiue and take one other coppozall oath as follioweth, (that is to say) I A. B. shall not vse or exercise the Office of Vndersherife corruptly during the time that I shall remaine therein, neither shall or will accept, receiue, or take by any colour, meanes, or deuise whatsoever, or consent to the taking of any manner of fee or reward, of any person or persons, for the impanelling, or returning any Inquest, Iurie, or Tales, in any Court of Record for the Queene, or betwixt partie and partie, aboue two shillings, or the value thereof, or such fees as are allowed and appointed for the same, by the lawes and statutes of this Realme. But will according to my power, truly and indifferently with conuenient speed impanell all Iurors, and returne all such writ or writs touching the same, as shall appertaine to bee done, by my ductie or office, during the time that I remaine in the said Office, So helpe me God. And this Act shall be a sufficient warrant to the persons appointed by this Act, to minister the Oath aforesaid, for the ministring thereof accordingly. 27. Eliz. 12.

Bailifes of
Franchises,
Sherifes,
Clerkes, and
Deputies,
shal take the
foresaid oaths

33 Euerie Bailife of Franchise, Deputy and Clerke of euerie Sherife and Undersherife, and euerie other person and persons, which shall haue authoritie, or take vpon him to impanell or returne any Inquest, Iurie, or Tales, or to intermeddle with execution of Process, in any Court of Record, shall, before hee or they intermeddle with any further execution thereof, receiue and take the oaths aforesaid coppozally, before the person or persons appointed by this Act to minister the same, or before the head Officer of the place, if it be a Towne coppozat, changing onely the words (the Office of Undersherife) contained in the Oath expessed in this Act, to such words as are conuenient for the deputation, office, or place, in which the partie which taketh the Oath, is to be exercised in. And if any the said persons limited to take the oath aforesaid, do take vpon him to impanell or returne any Inquest, Iurie, or Tales, or to intermeddle with the execution of Process, not hauing before taken the oaths aforesaid: Then euerie such person shall forfe. xl. s. to the Q. & J. to be rec. in any of the Q. courts of Record by A. B. P. J. wherein no W. C. P. &c. 27. El. 12.

The forfeiture
of offenders.

34 If any Undersherife, or other person mentioned in this Act, or any of them shall doe, or commit any Act or Acts contrarie to the Oaths aforesaid, or either of them, or contrarie to the true intent and meaning of this Act, Then euerie such person so offending shall forfeit for euerie such offence to the partie or parties grieved, his or their treble damages, to be recovered by A. B. P. or J. in any of the Queenes Courts of Record, wherein no W. C. P. &c. 27. Eliz. 12. S. Iustices of P. 100.

How much
sherifes may
take for the
seruing of an
execution.

35 It shall not be lawfull to or for any Sherife, Undersherife, Bailife of Franchises, or Liberties, nor for any of their or either of their officers, ministers, seruants, bailifes, or deputies, nor for any of them, by reason or colour of their or either of their office or offices, to haue, receiue, or take of any person or persons whatsoever, directly or indirectly, for the seruing and executing of any extent or execution vpon the bodie, lands, goods, or chattells of any person or persons whatsoever, moze, or other consideration or recompence, than in this present Act is or shall bee limited and appointed, which shall be lawfull to be had, receiued, and taken, that is to say, xij. s. of and for euerie xx. s. where the summe exceedeth not 100. l. and vij. s. of and for euerie xx. s. being ouer and aboue the said summe of 100. l. that hee or they shall so leuie or extend, and deliuer in execution, or take the bodie in execution for, by vertue and force of any such extent or execution whatsoever, vpon pain and penaltie, that all and euerie Sherife, Undersherife, Bailife of Franchises or Liberties, their and euerie of their Ministers, Seruants, Officers, Bailifes, or Deputies,

Deputies, which at any time shall directly or indirectly do the contrarie, shall lose and forfeit to the party grieved his treble damages, and shall forfeit the summe of xl. l. of gold and lawfull English money, for every time that he, they, or any of them shall do the contrarie, to the Queen and A. to be recovered by A. S. B. or A. wherein no C. W. p. 2c.

Provided alwaies, that this act, or any thing therein contained, shall not extend to any Fees to be taken or had for any execution within any Citie or Towne or port: Any thing above mentioned to the contrarie thereof notwithstanding. 29. Eliz. 4.

36 If any Sherife, Undersherife, or other person, having authoritie, or taking upon him to breake writs, doe make any warrant for the Summons of any person, as upon any writ, proces, or suit, or for the arrest, or attaching of any person or persons by his or their bodie or goods, to appeare in any her Majesties Courts at Westminster, or elsewhere (not having before that the originall writ or proces, warranting the same) Then upon complaint thereof made to the Just. of Assise of the countie where the same offence shall be committed, or to the Judges of the court, out of which the proces issued, not onely the partie that made such warrant, but all those that were the procurers thereof, shall be sent for before the same Judges or Justices, by attachments, or otherwise, as the same Judges or Justices shall thinke good, and allow of, and be examined thereof upon their oaths: And if the same offence bee confessed by the same offenders, or proved by sufficient witnesses, to the satisfaction of the same Judges or Justices, then the same Judges or Justices that shall so examine the same, shall forthwith by force of this Act commit every such offenders to the Gaole of the countie or Court, where the same shall be examined, there to remaine without baile or maineprie, untill such time as they amongst them have fully satisfied and paid unto the partie grieved, by such warrant, not onely x. l. of lawfull English money, but also all such costs and damages as the same Judges or Justices shall set downe, that the same partie hath sustained thereby, and withall x. l. a peece for their offence to her Majestie. 43. El. 6. 1. Jac. 25. To continue in force untill the end of the first Session of the next Parliament.

37 All the Sherifes of England shall have allowance upon their accompts by their Oathes, of things casuall, as of Cereats that sound not, nor run in ferme, nor in demand, but of things that sound or run in verely ferms, or verely demands, they shall be charged against the King, as the Sherifs have bin charged in times past. 4. H. 5. 2.

38 All Sherifes shall have such Tails of reward, and other allowances, as they have heretofore had, and they shall be discharged upon their accompts in the Exchequer of such summes of money which they cannot levis: And they shall have allowance for their charges and expences, which then shall be by the Justices of Assise, Diet, and other meanes. And everie Sherife by himselfe, his Atturney, or Deputy, shall be sworn at his day of prestion, when he shall answer before the Lord Treasurer, Barons, &c. to bring & deliver into the Exchequer, rolls of Parchment of all such particular summes of money which he hath, or might have levied, making mention of what person, or what lands, and for what cause everie of the said summes be levied. The Treasurer, Barons, &c. of the Exchequer shall award out such Proces, Commissions, & other means, as they shall thinke good, for the leaping and recovery of such fermes, viconties, & other the Kings ancient rights and inheritances, now vniustly withholden, and allow the Commissioners such charges, as they shall thinke meet. 28. 3. Ed. 6. 4.

36 The Sherife of the countie of Northumberland, before he receive his Patent, or exercise his Office, shall put in sufficient sureties by himselfe, or his deputy,

Fees for execution within in Citie or Towne or port.

Summoning or arresting without warrant.

Sherifes allowances.

Sherifes allowances.

Rolls in parchment.

Proces of the the Debt.

Sherife for Northumb.

Sherifes.

tie, in the Exchequer, & enter into Recognizance in such summe, & vpon such conditions, as the L. Treasurer & Barons shall thinke meet, as all other Sherifs of this Realme do, vpon paine of 100. l. to the King. Such Sherife shall be accountable but for his owne time, & for the yere of his Sherifwicke only, and shall not be charged with any arrearages due by any of his predecessours. 2. & 3. E. 6. 34.

- Bailiffes of libertie.** 1 Every stature provided for sherifs, shall extend to Bailiffs of Liberties. S. Franchises 1.
- Redisseisin.** 2 For the Sherifes duty in executing the Writ of Redisseisin. S. Redisseisin 2. 3.
- Repleuving a distresse.** 3 For the sherifs duty in repleuving of a distresse, and taking bond for prosecuting the suit, and making of Returne. S. Repleuving 1. 3.
- Riots.** 4 For the sherifes duty in recording and certifying of Riots. S. Riots 1. 3.
- Returns.** 5 For the Returnes of Sherifes, and Bailiffs of Liberties. S. Returnes of Sherifes.
- Estreats.** 6 The sherife must shew to the partie indebted, the Estreats sealed, and vpon the payment Tor the same. S. Estreats 1.
- Amerciaments** 7 Amerciaments for insufficient Returnes by Stewards, or Bailiffs of liberties, shall be set vpon their heads, and not vpon the sherifs, S. Franchises 3.
- Attorney.** 8 No Vndersherifes, Sherifes Clerkes, Receiuer, or Bailiffs, shall be Attorney. S. Attorney 9.
- Counterfeiting Weights.** 9 Sherifes may inquire of counterfeiteres of false Weights, and punish them. S. Weights 13.
- 3 womans suit.** 10 What a sherife shall forfeit which doth not execute a writ to him directed at the suit of a Woman, which is enforced to be bound by Obligation or statute. S. Women 15.
- A. debtor.** 11 The Sherife shall discharge his distresse, which can find him suretie to gree for the thing in demaund, and shall acquit the K. debtor of that which he hath receiued, S. Accompt &c. 52.
- Disseisin.** 12 How the sherife shall be punished, which by the colour of his office doth disseise any man. S. Assise 4.
- Errapassies.** 13 In what time a Sherife shall array Assises, and deliuer the Copies. S. Assise 8.
- Escape.** 14 What the sherife shall forfeit, which doth suffer an Escape, or doth take any thing for an Escape. S. Escape 1. 2.
- Hawkes.** 15 How the sherife shall vse a hawke which is found, taken vp, and brought vnto him. S. Hawkes 2.
- Bedding an offender.** 16 For the punishment of the sherife which letteth one go, which is not repleuifable. S. Mainprise 3.
- Knights of parliament.** 17 For all the sherifes due tie about the electing and returning of Knights of the Parliament, Burgesles of the Parliament, and leuying of their wages. S. Parliament 4: 5. 8. 12.
- Stoned horses.** 18 Every sherife shall inquire of defaults in not keeping of stoned Horses, and certifye the same into the Exchequer. S. Horses 12.
- Inquire of wast.** 19 In what case and maner the sherife vpon precepts shall go to inquire of wast. S. Wast 3.
- Forcible entries.** 20 The sherife shall attend vpon a Iust. of P. to arrest those which make any forcible entries. S. Force 2.
- Returning Jurors.** 21 What Jurors, and of what sufficiencie the sherife in seuerall cases shall returne, and vpon what paine. S. Jurors 12. 14. 16. 19. 20.
- Purveyors.** 22 In what maner the sherife shall make purveyance for the K. Horses and Dogs within his Countie. S. Purveyors 10.

23 By whom the Sherifes in Wales shall be appointed, their authority, accompt, *Wales.* courts, fees, &c. S. Wales 3 6. &c.

24 Amerciaments of Sherifes for insufficient returns. S. Returns 1 1.

25 Sherifes shall execute such proces which shal come to them from Iustices of P. touching annooyance of Bridges. S. Bridges 8. *Returns.*

Silke.

No person shal bring, or cause to be brought into this realme of England to be sold, any Silke wrought by it selfe, or with any other stuffe in any place out of this realme, in ribbands, laces, girdles, coxles, caules, coxles of tissues, or points, or on paine to forfeit to the K. & any of his subjects that will seise the same (the which to do, it shalbe lawfull to every of the K. subjects) all the same ribbands, laces, &c. in whose hands soener they be found, or the value of the same. But it shall be lawfull to every person, aswel strangers as other, to bring into this realme all other maner of silkes, aswel wrought, as raw, or unwrought, to sell at his pleasure. And it shalbe lawfull to all persons that haue any such ribbands, laces, girdles, caules, coxles of tissues, or points wrought beyond the sea, brought into this land by the K. licence, and to be sold, to make sale of the same. 19. H. 7. 2 1.

These things wrought of silke may not be brought into England.

Sope Vessels.

Every Sopemaker putting to sale Sope, shall cause an emptie barrel to containe xxxij. gallons, or above, & not to be in weight above xxxij. pounds, A halfe barrell empty not to weigh above xij. pounds, & to containe xvj. gallons, or above, An emptie firkin not to weigh above vij. pounds & a halfe, and to containe viij. gallons or above of full and iust measure, upon paine to forfeit for every bestell contrarie to s. iij. 8. to the K. & to be recovered by A. B. P. A. wherein no W. C. P. or J. ec. 2 3. H. 8. 4. S. Cowpers 1. Iu. of P. 79.

Spicerie, Spiceries.

All Spices, wares, drugges, and other Merchandizes garbleable, viz. pepper, cloves, mace, nutmegs, cynamon, ginger, long pepper, worme seeds, cummin seeds, Anniseeds, Coliander seeds, Bynny pepper, almonds, dates, galles, gums of all sorts & kinds garbleable, spikenard, galingall, turmericke, fetwel, Cassia fistula, ginnie pepper, seny, barbertes, rice, erius, stanelakar, calamus, fenicrick, Cassia lignum, graines, carraway seeds, and all other spices, drugs, wares, and other Merchandises that haue bin vsually garbled, clenfed, seuered, sojted, or diuided in the citie of London, and the liberties thereof, shall for the fees vsually allotted in that behalfe, be sufficiently clenfed, seuered, garbled, & diuided, and after sealed by the garbler, therunto appointed for the time being, or by his sufficient deputy or deputies, seruant or seruants, befoze that the same or any part thereof shalbe sold, upon pain of forfeit of all & every such spices, drugs, wares, and other Merchandizes, or the value thereof. which shalbe sold. 1. Iac. 19.

Spices that be garbled & sealed.

2 If any of the said spices, drugs, wares, & other Merchandizes shall bee mixed with any garbles, matter, or thing whatsoener, after such time as the same shall bee first garbled, separated, or diuided by the garbler therunto appointed, or by his sufficient deputie or deputies, seruant or seruants, & sealed as aforesaid: Then the said spices, drugges, wares, and other Merchandizes, or the value thereof shal be wholly forfeited. 1. Iac. 19.

Spices mixed after the garbling thereof.

3 It shall and may be lawfull to and for the said garbler of spices, drugges, and

pp y

merchan,

Spicerie, Spices. Statutes and Recognisances.

merchandizes within the said city of London and liberties thereof for the time being, & to and for his deputie & deputies, assignee or assignees, by vertue of this act, at all & euerie time and times, in the day time to enter into any shops, warehouses, or cellars within & said citie or liberties therof, wherein any such drugs, spices, wares, or merchandizes bought or sold, or mixed, contrarie to the true meaning hereof, which haue bin accustomed to be garbled, shalbe, or shalbe suspected to be, and there to view, see, and search the same. And if hee or they shall find any such spices, drugs, wares, or merchandizes there vngarbled which haue bin accustomed to be garbled: then and so often it shalbe lawfull to and for the said garbler, and his deputie, or deputies, assignee, or assignees, to garble, or cause his or their seruants to garble and make cleane the same. The one moiety of all forfeitures in this act mentioned shalbe to the R. his heirs & successours, & the other moiety to him or them that will sue for the same by A. of debt, B. P. or J. in any court of Record within England, wherein no C. P. W. P. or J. shalbe allowed. 1. Jac. 19.

Spices
brought in,
& after trans-
ported vn-
garbled.

4 If any Merchant, or any person or persons (other than Merchants Alien, or made, or to be made denizen) shall bring any spices, drugs, or other merchandizes that be garbleable within this Realme, and shall not offer the same to sale, or sell the same within the Realme, but shall bona fide, and without fraud or countenance or retaine the same vnsold, to be transported out of the Realme, & shal transport the same within 8. moneths, to be accounted from his first landing or arrival with such spices, drugges, or other merchandizes garbleable, by the provision and intention of this Act: for such spices &c. so to be transported vngarbled and not sold within this realme, no penaltie mentioned in this statute shalbe forfeited or incurred by any person or persons (other than merchants, alien, or denizen as aforesaid.) 1. Jac. 19.

Statutes and Recognisances.

Statute
Merchant.

Euerie Merchant that will be sure of his debt, shall cause his debtors to come before the Maior of London, Yorke, or Bristol, or before some chiefe Warden of one of these, or some other good towne thereunto assigned by the King, & before the Maior, chiefe Warden, or other sufficient men chosen and sworn thereunto, when the Maior or chiefe Warden cannot attend, & before one of the Clerks thereunto by the R. assigned, when both cannot attend, & to acknowledge the debt, & the day of payment. And the Recognisance shall be inrolled by the hand of one of the Clerkes which shall be knowne, and the roule shall be double, whereof one part shall remaine with the Maior or chiefe Warden, and the other with the said Clerke. And one of the Clerkes with his owne hand shall write the Obligation, to which writing the debtors Seale shall be put with the Kings seale to that be provided, the which Seale shall be of two pieces, whereof the great piece shall remaine with the Maior, or chiefe Warden, and the other in the custodie of the foresaid Clerkes. And if the debtor doe not pay the debt at the day to him assigned, the Merchant shall come to the Maior and Clerke with his writing obligatory. And if it be found by the roll or writing, that the debt was knowledged, and the day of payment expired, the Maior or chiefe Wardens shall cause the bodie of the debtor to be apprehended (if he be a lay man) whensoever he cometh within his iurisdiction, & committed to the prison of the same towne (if there be a prison) and there he shall remaine at his owne costes, vntill hee hath agreed for the debt. And the keeper of the towne prison shall receive him by the deliuerance of the Maior or chiefe Warden, and if hee shall not receive him, the keeper of the prison shall immediately answer the debt, if hee haue wherewith, but if hee haue not wherewith, hee shall answer the debt which committed the keeping of the prison vnto him

The seale of
the Statute.

The debtor
imprisoned.

him. And if the debtoꝝ cannot bee found within the power of the Paioꝝ, oꝝ chiefe Warden: Then the Paioꝝ, oꝝ chiefe Warden shall send the Recognisance of the debt vnder the Kings soꝛesaid seale vnto the Chaucerle, from whence shall be directed a writ to the Shirefe, within whose Walswike the debtoꝝ may be found, that he shall take his bodie (if he be a lay man) and keeke him in safe prison, vntill he hath agreed foꝝ the debt, and within a quarter of a yeaꝛe after he is taken, he shall haue his lands, and goods deliuered vnto him, so that with them hee may liue and pay his debt, and it is lawfull foꝝ him within this quarter, to sell his lands and tenements to discharge his debt, and his sale to be good. Vnt if he doe not agree within the quarter, after the quarter of a yeaꝛe expired, all the goods and lands of the debtoꝝ shall be deliuered to the marchant by a reasonable extent, to hold vntill the debt be fully leuied, and neuertheless the bodie shall remaine in prison, and the Marchant shall find him bread and water. And if they which doe praise the moueable goods, which are to be deliuered to the creditoꝝ, doe praise them at too high a price in fauour of the debtoꝝ, and to the damages of the Creditoꝝ, the thing praised shall be deliuered to them foꝝ the price which they haue set, and they shall immediately answer the Creditoꝝ his debt. But if the Debtoꝝ will say, that the moueable goods were sold oꝝ deliuered foꝝ lesse then they were woꝛth, thereof he shall haue no remedie, foꝝ that the goods were lawfull sold to him that would offer most foꝝ the same, foꝝ he may reckon it his owne folly, which might haue sold his goods befoꝛe the suit commenced and leuied the money with his owne hands, and would not. And the Marchant shall haue in the land so deliuered vnto him, such seisin, that he may thereupon bring an Assise of Nouel disseisin, if he be put out, and a Redisseisin also, as of his freehold, to hold to him and to his assignes, vntill the debt be paid, and after the debt be leuied and paid, the bodie of the debtoꝝ shall be deliuered with his lands. And in the writs which shall be directed out of the Chaucerle, mention shall be made that the Shirefe shall certifie the Iustices of the one Bench, oꝝ the other, at a certaine day, how he hath perfoꝛmed the Kings commandement, at which day the marchant shall sue befoꝛe the Iustices if he be not satisfied. And if the Shirefe returne no writ, oꝝ returne that the writ came too late, oꝝ that he hath sent to the Wapstikes of Franchises (then the Iustices shall doe according as is contained in the statute of Westminster 2.) And if the Shirefe returne that the Debtoꝝ is not found, oꝝ is a Clerke, then the Marchant shall haue Writs to all the Sheres where he hath land, that they shall deliuer all the rattels and tenements of the debtoꝝ, by a reasonable extent, to hold to him and his assignes, in soꝛme afoꝛesaid: And neuertheless, he shall haue a writ to what Sherefe he will, to take his bodie (if he be Lay) and to hold it in soꝛme afoꝛesaid. And the keeper of the prison must keepe him safely, foꝝ he shall answer the bodie, oꝝ the debt. And after the debtoꝝs lands be deliuered vnto the Marchant, the debtoꝝ may well sell his lands, so that the Marchant receiue no damage by the appoynement. And the Marchants shall haue all their necessarie damages and costs in trauell, suit, delay, and expences allowed vnto them, and if he be a Marchant stranger, he shall remaine at the costs of the debtoꝝ, foꝝ so long time as he tarrieth about the suit of his debt, and vntill the goods of the debtoꝝ be sold, oꝝ deliuered vnto him. And if the debtoꝝ do find pledges oꝝ suerties after the day passed, the suerties shall be used in all respects, as is afoꝛesaid of the principall debtoꝝ, concerning taking of their bodies, deliuering of their lands and other things. But so long as the debt may be fully leuied of the moueable goods of the debtoꝝ, the suerties shall receiue no losse. And when the debtoꝝs lands shall be deliuered to the Marchant, he shall haue seisin of all the lands which were in the debtoꝝs hands the day of the Recognisance knowledged, into whose hands soeuer they doe after come, eyther by feoffement, oꝝ other manner. And after the debt paid, the land and the issues of the land of those which be debtoꝝs by feoffement

The Stat. certified into the Chaucerle

Execution of the debtoꝝs lands and goods.

The goods extended deliuered to the Debtoꝝ

A remedie foꝛ tenant by Stat. Marchant being put out.

S. Returne of Sherifes 3.

The debtoꝝ not found, oꝝ a Clerke.

The Gaoler must answer the body, oꝝ the debt.

The Conuise shall haue his costs and expences.

Suerties.

Of what lands the Conuise shall haue execution.

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Statutes and Recognisances.

No execution of an Infants lands.
The penaltie of the Statute read befoze the debter. Statutes, in Chester.

Clerke of the Statute shall have sufficient, & dwell vpon his office.

Execution awarded vpon a Statute once shewed in Court.

Statute Staple.

Execution of the body and goods of the Connors.

The Statute certified into the Chancerie.

ment, shall aswell returne againe to the feoffees, as the other lands to the feoffors. And if the debtoz, or his sureties die, the Marchant cannot take the body of his heire but shall haue his lands in soyme aforesaid, if he be of full age, or when he shall be of full age, untill he haue lenied so much as his debt amounteth vnto. Beseze the Recognisances shall be inrolled, the penaltie of this Stat. shall be openly read befoze the Debtoz, so that he shall not after excuse himselfe by ignorance of the paine tohere, unto he bound himselfe, and the B. shall haue in euery Towne where the seale is to maintaine the costs of the Clerke, s. of euery pound. Acton Burnell 11. Edw. 1. de Mercatoribus. 13. E. 1. And all Recognisances of Stat. Marchant, and Acton Burnell, which shall be knowledged, inrolled, and sealed with the seale appointed to the Citie of Chester, befoze the Paioz of the same Citie, in like maner as the Paioz, and other Officers in the said Citie haue accustomed to take, inroule, and seale, shall be good and effectual in the Law. 2. E. 6. 3. 1.

2 Cuerie Clerke which shall be deputed to receiue Recognisances in Cities and boroughes, according to the Stat. Marchant, shall abide in proper person to doe his office, and shall haue lands sufficient in the same countie, whereof he may answere al persons if he offend, and if there be any other in such an office he shall be remoued, and an other more meet be set in his place. 14. E. 3. 1. 1.

3 Where a Stat. marchant is certified into the Chancerie, and thereupon a writ awarded to the Shirishe, and returned into the common Place, and the Statute thereon shewed, howsoeuer the proces after this shewing be discontinued, at what time the party sueth to recontinue the proces, and to haue execution of the Stat. marchant, the Iustices of the Bench in which the Stat. was once shewed, may vpon the same Record award & make full execution of the said Statute, without hauing any other sight thereof after. An. 5. H. 4. 1. 2.

4 To the intent that Contracts made within the Staple, shall be the better holden, and payments readily made, euery Paioz of the Staple hath authoritie to take Recognisances of debts that a man will knowledge befoze him in the ptesence of the Constables of the Staple, or one of them. And in euery Staple there shall bee a seale remaining in the custody of the said Paioz, vnder the seales of the same Constables. And all Obligations which shall be made vpon such Recognisances shall be sealed with the same seale, paying for euery Obligation of 100. l. and vnder of euerie pound a halfe pennie, and of euery Obligation aboue 100. l. of euerie pound a farthing. And the Paioz of the Staple, by vertue of the same writing obligatorie so sealed, may take and hold in prison the bodies of the Debtors after the terme incurred, if they be found within the Staple untill they haue agreed with the Creditoz for his debt and damages, and also arrest the goods of the said debtors found within the said Staple, and deliuer the said goods to the said creditoz, according to the berry value, or sell them at the best he may, and deliuer so much thereof to the creditoz, as the summe due. And if the debtors cannot be found within the Staple, nor their goods to the value of the debt, that shall be certified into the Chancerie vnder the said Seale: Upon which certificate, a writ shall be directed, to take the bodies of the said debtors, without letting them to bale, and to seise their lands, tenements, goods, and chattel. And the writs shall be returned into the Chancerie, with a certificate of the value of the said lands, tenements, goods, and chattels, and thereupon due execution shall be made from day to day, in maner as is contained in the Statute Marchant, so that he to whom the debt is due, shall haue an estate of Freehold in the lands and tenements, which shall be deliuered vnto him by vertue of this processe, and shall recouer by Assise of Nouel disseisin, if he be put out. But the Debtoz shall haue no advantage of the Quarter of a peare which is contained in the Statute marchant. But if the Creditoz will haue no letters vnder the said Seale but will stand to the faith of the Debtoz, if after the terme incurred, hee demand his

his debt, the debtor shalbe credited upon his faith. 27.Ed. 3.9. And if any Writoz of the Staple, do receive any recognisance of debt against the forme aforesaid, he shall pay to the King one halfe of the summe knowledged before him. 1.R. 2.9.S. 14.

5 The Chiefe Just. of the B. Bench, and the chiefe Just. of the Common Pleas, and euery of them by himselfe, and in their absence out of the Terme, the Writoz of the Staple at Westm. and the Recorder of the Citie of London for the time being, jointly together by his or their discretion, haue authoritie to take Recognisances or knowledges of euerie of the Qu. Subjects for the payment of debts, according to such forme as hereafter ensueth.

Recognisance
in nature of
the Stat. Staple.

6 Nouerint vniuersi per presentes me A.B. & C.D. Armig' teneri & seruiter obligari Joh. at Stile in centum lib' sterling', soluendis eidem Iohanni aut suo certo Assignato hoc scriptum ostendent hared' vel executoribus suis in tal' fest. &c. piox' futur' post datum presentium. Et si defecero vel defecerim in solutione debiti predicti, volo & concedo i vel sic, volumus & concedimus, q' tunc currat super me, hared' & executores meos: vel, super nos & quemlibet nostrum, hared' & executores nostr', poena in Statut' Stapulæ de debiti pro merchandisi in eadē empris recuperand' ordinat' & prouisa. Dat' tali die, Añ regni &c. 23.H.8.6.

The forme of
the recogni-
zance.

7 And euery Obligation that shall be made, as is aforesaid, and knowledged before any of the said chiefe Just. or the said Writoz and Recorder, according to this Act, shalbe sealed with the seale of the partie or parties that shal recognise or knowledge the same, and also with the B. Seale ordained for the same, and with the seale of one such of the said Justices, or with the seales of the said Writoz and Recorder, and with his or their name or names subscribed, that so shall take the same Recognisance or knowledge. And euerie of the said two Just. and the Writoz and Recorder shall haue the custodie of one such seale, by the King appointed, with one like print, scripture, and fashion, which shall seuerally remaine with them, to the intent about rehearsed. 23.H.8.6.

Sealing of a
recognisance.

8 An honest and discreet person assigned by the B. or his sufficient deputie or deputies, shall make and write all such obligations as shall be knowledged and recognised by authoritie of this Act, and shall cause the same being knowledged and recognised in forme as is abovesaid, to be inrolled in two seuerall rolles indented, whereof one shal remaine with such of the said Just. or with the said Writoz and Recorder, that so shall take the same recognisance, and the other with the writter thereof, appointed for the same. And the said person, appointed for making, writing, and inrolling of such obligations, or his sufficient deputie or deputies, shall bee dwelling or abiding in the Citie of London, upon paine to forfeit for euery time that he and his deputie shalbe absent by the space of 4. daies y. l. and the said person appointed, or his sufficient deputie or deputies at the request of the creditors, their executors, or administrators, shall certifie such obligations, as shall bee taken and recognised by authoritie of this Act, into the Chancerie, vnder the seale of the person so appointed &c. 23.H.8.6.

Clerke of the
Statutes.

Certificat
to the Chan-
cerie of the re-
cognisance.

9 Euery person and persons to whom any such Obligation shalbe made, knowledged, and inrolled as is aforesaid, their executors and administrators, and the executors and administrators of euery of them, for default of payment of the debts contained in such Obligations, shall haue in euery point, degree, and condition against the said recognisor & recognisors, and euery of them, their heires, executors, and administrators, & the heires, executors, and administrators of euery of them, like proces, execution, committie, and aduantage in euery behalfe, as hath bene used and accustomed before this time to be had, done, or made, or and upon any obligation, of the Statute of the Staple, and vnder such maner and forme as is for the same Statute of the Staple provided, paying for such proces and execution to be had, such like fees as is accustomed for proces & execution to be had upon obligations.

Execution
upon a recog-
nizance.

Statutes and Recognisances.

Audita querela.

tions of the same statute of the staple, and not above. 23.H.8.6.

20 Every such person and persons that shalbe bounden, or otherwise grieved by vertue of any Obligation made by anthozitie of this Act, shal have their like remedie by Audita querela, and all other remedies in the Law, that they might have had, in case they had bin bounden by obligation of the Stat of the Staple. 23.H.8.8.

The R. shall have an ob. in the R. upon execution sued.

11 Every person that shall have proces for execution to be had, by reason of any Obligation to be made and knowledged according to this Act, shall pay to the King &c. at the sealing of the said proces a halfe pennie for everie pound, that shall be contained in the Obligation, wherof execution shal be required, and not above. 23.H.8.6.

The remedie for tenant by recognisance being disseised.

12 Every such person and persons that shall have execution of any Lands, tenements, or hereditaments by reason of any such Obligation, made and knowledged, as is aforesaid, and their executors, administrators, or assignes, and the executors, administrators, and assignes, of everie of them (if they or any of them bee put out or disseised) shall have like remedie in everie condition, as persons having execution, in and upon any statute of the staple, after execution of them had, may, or might have, by vertue of the said writing Obligatorie of the Stat, of the staple, and execution of the same. 23.H.8.6.

The Just. & Clerks fee upon every recognisance.

13 Every of the said Justices, and the said Mayor and Recorder before whom any such Obligation shall be recognized, shall take for everie knowledge of everie one such recognizance, iij. s. iij. d. and not above. And the Clerke that shall write, make, and inroll the same, iij. s. iij. d. And for the certificat of every one such Obligation, ii. s. And if any of the said Justices, Mayor, Recorder, or Clerkes, take of any of the R. subiects above the summe or summes to them limited by this Stat. Then the said Just. Mayor, Recorder, or Clerke, that shal take contrary to the form aforesaid, shal forfeit. for every time so offending to the R. & J. l. l. to be rec. by A. J. &c. wherein no W. l. l. &c. 23.H.8.6.

In what cases recognisances by Stat. staple may be taken.

14 So Mayor or Constable of the staple, for the payment of any summe of money, shall take any knowledge or recognisance of the said statute, of the staple of any of the R. subiects, upon paine to forfeit. to the R. and J. for every time so offending, xl. l. to be recovered by A. J. &c. wherein no W. l. l. &c. But this Act is not prejudiciall to any Mayor and Constables of the staple, for any band or writing of the Stat. of the staple to be taken or received between Merchants being free of the same staple, for marchandizes of the same staple, betweene them lawfully bought and sold. 23.H.8.6.

The contents of Stat. shall be entered in the Clerks office.

15 The whole tenour and contents of al statutes merchants and statutes of the same staple, hereafter to be knowledged, shall within six moneths next after such knowledging, be entered in the Office of the Clerke of Recognisances, taken according to the Stat. made 23.H.8. by the shewing forth of the said Stat. merchant or Stat. staple so knowledged, unto the said Clerke, which said Clerke of the recognisances shall enter or cause to be entered the same statutes, in a booke for that purpose to be provided, and safely kept by him, taking iij. s. and no more for everie such entrie. 27.El.4.

The Stat. not entered void against the purchaser of the lands liable to the same.

16 If the partie to whom any such statute merchant, or of the staple shall be knowledged, his executors or administrators, doe, or shall not within 3. moneths next after the knowledging of any such statute, bring, and deliver, or cause to be brought and delivered unto the said Clerke, or his deputie or deputies for time being, all and every such statute and statutes as shall bee knowledged to him, or to his use, whereby, and to the intent, that the said Clerke, his deputie, or deputies may take and enter a true copie thereof: Then everie such statute merchant & of the staple not so entered shalbe void, frustrate, and of none effect, against all & every such person and persons, bodies politike and corporat, their heires, successors, executors, administrators,

administratoꝝ, and assignes onely, as shall after the knowledging of the said Stat. or any of them, purchase for money, or other good consideration, the lands, tenements, or hereditaments, which were liable to the same Stat. merchant, or of the Staple, or any part or parcel thereof, or any rent, lease, or profit, of, or out of the same. 27. Eliz. 4.

17 If the said clerke, or his deputie or deputies for the same being, shall not be upon such shewing and deliuerie vnto him or them of any Statute merchant, or of the Staple, enter, or cause to be entred the same in his said booke, within the said time of 6. moneths, and also endorze vpon every such Stat. so by him entred, the day and yeare of his said entrie, with his or their owne name: Then every such clerke sayling or defectiue in that behalf, shall forfeit and lose for every Stat. merchant and of the Staple so brought vnto him or them, and not entred and endorzed, or caused to be entred and endorzed as aforesaid, the summe of xx. l. The one moitie whereof to be to the Qu. Maestie, her heires, or successoꝝ, and the other moitie to him or them that will sue for the same in any the Qu. Maesties Courts of Record, by A. of debt, B. p. or J. wherein no C. p. or W. 27. Eliz. 4.

The Clerke not entering or endorzing a Statute brought vnto him.

28 No Clerke of the said Recognisances shall or may take, for, or in respect of any search to be made, for, or concerning any Statute merchant, or of the Staple, so to be entred, as aforesaid, aboue ff. s. for one yeris search, and so after the rate of ff. s. for everie yeare, and not aboue, vpon paine to forfeit and lose to the partie or parties grieved thereby, twentie times as much as he shall take contrarie to the true meaning of this Act, to be recovered in any of the Qu. Maesties Courts of Record, by A. of debt, B. p. or J. wherein no P. or W. of law shall be allowed. 27. Eliz. 4. 39. El. 18.

Clerke of the recognisances fees for search

1 In what manner execution shall be made of lands in Wales, vpon a statute or Recognisance. S. Wales. 67.

2 No statute or Recognisance shall bee auoided by a fained Recouerie. S. Recoveries 9.

3 He which sueth to defeat execution vpon a statute, shall find suretie to the King and the partie, S. Corpus cum causa 2.

4 Obligations taken in the Court of Wards, shall be of the same strength, as a statute staple. S. Wards 27.

5 Obligations made to the King, shall be of the same strength, as a statute staple. S. Accompt. to &c. 1.

6 Obligations taken of Ecclesiasticall persons for their first fruits, bee of the same strength as a statute staple. S. Ecclesiasticall &c. 25.

7 A remedie for the Conisee where lands taken by him in execution be recovered. S. Execution 3.

8 The lands of certaine Accomptants to the King shall be liable to the payment of their arrerages, and be put in execution, as if they were bound in statute staple. S. Accompt. &c. 29.

9 The force of Recognisances taken before the Maior and Constable of the staple beyond the sea. S. 10. H. 6. 1.

Steele.

If any person doe forge or make any gads of Iron, called Bilboto Iron, like to the fashion and manner of gads of Steele, or do utter or put to sale any such gads of any Iron, he shall forfeit for everie gad so forged, uttered, or put to sale, foure pence to the K. and J. to be recovered by A. B. p. J. &c. wherein no W. or C. p. &c. 2. E. 6. 27.

Stealing.

Stealing, Felonie. Suggestion. Surgeons.

Servants
stealing their
Masters
goods.

Stealing, Felonie.

All and singular such servants, to whom any caskets, iewels, money, goods, or cattells by his or their masters or mistresses, shall from henceforth be delivered to keepe, if any such servant or servants withdraw him or them from their said Masters, or Mistresses, and goe away with the said caskets, iewels, money, goods or cattells, or any part thereof, to the intent to steale the same, and defraud his or their said Masters or Mistresses thereof, contrarie to the confidence and trust to him or them put by his or their said Masters or mistresses, or else being in the service of his said Masters or Mistresses, without assent or commandement of his Master or Mistresse, he imbecill the said caskets, iewels, money, goods, or cattells, or any part thereof, or otherwise convert the same to his owne use, with like purpose to steale it: If the said caskets, iewels, money, goods, or cattells, that any such servant shall goe away with, or which he shall imbecill, with purpose to steale it, as is aforesaid, be of the value of xl. s. or above: When the same false, fraudulent, and untrue act and demeanour from henceforth shall bee deemed and adjudged Felonie. And he or they so offending, to be punished as other felons be punished for felonie committed by the course of the Common Law. Provided alwaies that this act, or any thing therein contained, shall not in any wise extend, or be prejudiciall to any Apprentice, or Apprentices, or any person within the age of xviij. yeares, going away with his or their Masters goods, or iewels, or otherwise converting the same to his or their owne uses, during the time of their Apprentiship, or being within the same age of xvij. yeares: But that every Apprentice, or Apprentices, such person or persons being within the said age, doing or offending contrarie to this present Act, shalbe and stand in like cases as they and enerte of them were before the making of this Act. 21. H. 8. 7. 5. Eliz. 10.

Suggestion.

If any man doe make a Suggestion to the Kings Maestie, he shall be sent with the same Suggestion to the Lord Chancelloz, Treasorer, and the Kings great Councill, and there shall finde suretie to pursue his Suggestion, and then proces shall be awarded against him of whom the Suggestion is made, without being taken or imprisoned. 37. E. 3. 18. And if he which maketh the complaint cannot pprove his Suggestion, he shall be sent to prison, untill he hath agreed with the partie for his damages, and slander, and after shall make fine and ransome to the King. 38. E. 3. 9. And the Chancelloz of England hath authoritie to award damages to him which is troubled in the Chancerie, or in soyme aforesaid wrongfully. 17. R. 2. 6. S. Accusation 1.

I Where he that sueth for a Prohibition shall make a Suggestion and proove the same. S. Prohibition 10.

Surgeons

Surgeons
in London
admitted by
the Bishop.

No person within the Citie of London, nor within 7. Miles of the same, shall take upon him to exercise and occupie as a Surgeon (except hee be first examined, approued, and admitted by the Bishop of London, or by the Deane of Pauls, calling to him foure persons expert in Surgerie) upon paine of forfeiture for every person that any person doth occupie as a Surgeon, not admitted, nor examined in soyme aforesaid, five pounds to the h. and 3. to bee recovered by

by A. of debt wherein no W. ec. C. p. ec. But this Act shall not be prejudiciall to the Universities of Oxford and Cambridge, or any liberties granted to them. 3. H. 8. 11.

2 No person out of the said Citie and precinct of seven miles of the same, (except he hath been approued in the same) shall take upon him to occupie as a Surgeon in any Diocese within this Realme, but if he be first examined and approued by the Bishop of the same diocese, or he being out of the Diocese by his Vicar general, either of them calling to them such expert persons in the said facultie, as they shall thinke convenient, and giving their letters testimoniall vnder their Seale to him that they shall so approue, vpon paine of forfeiture of five pounds for euery moneth that any doth occupie, not admitted nor examined in forme aforesaid ec. But this Act shall not be prejudiciall to any of the foresaid Universities ec. 3. H. 8. 17.

Notwithstanding the foresaid Statute, it is lawfull to euery person, being the Kings Subject, hauing knowledge and experience of the nature of hearbes, rootes, and wacres, or of the operation of the same, by speculation or practise, within any part of the Kings Dominions to practise, vse and minister, in, and to any outward soze, vncome, wound, apostemations, outward swelling, or disease, any hearbe or hearbes, ointments, bathes, pulps, and implasters, according to their cunning, experience, or knowledge in any of the diseases, sozes and maladies befoze said, and all other like to the same, or drinckes for the stone or strangurie, or agnes, without trouble or penaltie ec. 34. H. 8. 8. And soasmuch as the science of Physicke doth containe the knowledge of Surgerie, as a speciall member and part of the same: any of the company of the Physitians within the Citie of London being able, chosen, & admitted by the President & fellowship of the Physitians in London, may from time to time, aswell within the Citie of London, as elsewhere within this Realme, practise and exercise the said science of Physicke, in all and euery his meir'rs and parts. 32. H. 8. 40.

3 By the Statute of 32. Henrici 8. 42. it was ordained, that the two senerall companies of Barboz and Surgeons in London, and euery person of them being a freeman of either of the said companies after the custome of the said Citie, and their successors, should be from thenceforth united and made one entire and whole bodie corporate, and one Comminaltie perpetuall, which should be called by the name of Masters and Governours of the Mysterie and Comminaltie of Barboz and Surgeons of London for ever, and by none other name, and by the same name to implead and be impleaded befoze all Iustices, in all Courts, in all actions and suits, and to purchase to them and their successors, all lands, rents, and other possessions, and also to haue a common Seale, and by the same name to enioy all such lands ec. which the Companie of Barboz then had, and to enioie all benefites, graunts, franchises, libertie, ec. at any time graunted to the said Companie of Barboz. And they and their successors, shall haue the searce, ouersight, punishment and correction, as well of freemen as of sozeiners, for such offences as any of them shall commit against the good order of Surgerie, as befoze time amongst the Companie of Barboz hath bene vied. And that all persons of the said Companie incorporate, and their successors, that shall be lawfully admitted and approued to occupie Surgerie (after the forme of the Statute of 3. H. 8. 17.) shall be exempt from bearing of Armour, or to be put in any watches or enquests: But euery such Surgeon, and Barboz shall pay such scot and lot, and other charges, as they and their predecessors haue accustomed to pay within the said Citie. And that the said Masters and Governours, and their successors yearly for ever, after their discretions, at their free libertie, shall and may haue and take without contradiction foure persons condemned, aduindged, and put to

Surgeons shall be appointed by the Bishop of the Diocese.

Helpes of outward sozes

The Physitians of London may practise Surgerie.

Surgeons and Barboz made one Company.

Surgeons exempt from bearing Armes, watches and enquests.

Surgeons. Suit of Court.

four goners
of the
Corporation

death by the order of the lawes of this Realme for Anotamies, without any further suite or labour to bee made to the King &c. for the same, and to make incision of the same dead bodies, or otherwise to order the same at their pleasure, for the better knowledge and experience in Surgerie. And that at times accustomed, there shall be chosen by the same companie four Masters and Gouernours of the same Corporation or Companie, of the which four, two of them shall be expert in Surgerie, and the other two in Barberie: Which four Masters, and euerie of them, shall haue full authoritie from time to time during their said office, to haue the ouersight, search, & correction of all such defaults & inconueniencies as shall be found among the said Companie vsing Barberie, or Surgerie, as well of freemen, as foreigners and strangers within the Citie of London, and circuit aforesaid, after their discretions.

No Barboz
in London
shall vse Sur-
gerie.

4 No person within the city of London, suburbs of the same, & one myle compass of the said city, vsing any barberie or shauing within the said city, suburbs, or one myle circuite of the same citie, nor none other for him, or to his vse, shall occupie any Surgerie, letting of blood, or any other thing belonging to surgerie (dialwing of teeth only excepted) vpon pain to forfeit. for euery moneth offending to the contrary, v. l. to the Qu. and Inf. to be recovered by Action, &c. wherein no W. &c. C. P. &c. 32. H. 8. 42.

No Surgeon
shall vse the
craft of Bar-
berie.

5 Whosoever vseth the mysterie or craft of Surgerie within the circuit aforesaid, as long as he shall vse the same, shall not occupie the craft of Barberie or shauing, neither by himselfe, nor by any other for him to his vse, vpon the paine aforesaid. 32. H. 8. 42.

Euery Sur-
geon shall haue
a signe at his
dore.

6 All persons vsing Surgerie, as well freemen as foreigners and aliens within the said Citie of London, the Suburbs thereof, and one myle compass of the said Citie, shall haue an open signe on the street side, where they shall dwell, that all the Kings liege people there passing by, may know at all times whither to resort for their remedies in time of necessitie, vpon paine aforesaid. 32. H. 8. 42.

None shall be
Barboz in Lon-
don, but a free-
man.
Wh man may
keepe a Sur-
geon or Bar-
boz for his
seruant.

7 No person shall keepe any shoppe of Barberie or shauing within the citie of London (except hee be a freeman of the same corporation and companie) vpon the paine aforesaid. But it is lawfull to any of the Kings subiects, not being a Barboz or Surgeon, to retain and keepe in his house, as his seruant, any Barboz or Surgeon, which shall and may vse those faculties of Barberie and Surgerie, or either of them in his masters house, or elsewhere, by his masters licence or commandement. 32. H. 8. 42.

1 No stranger, being a common Surgeon, shall be interpreted a handicrafts man. S. Aliens 13.

Suit of Court.

NOne that is infeoffed by deede, shall bee distrained to doe suit in the Court of his Lord, without hee be specially bound thereunto by the forme of his deede (onely those except, whose auncestors, or they themselues haue vsed to doe such suit &c.) And they that are infeoffed by deed to do a certaine seruice, as for seruice of so many shillings by yeare to bee acquitted of all seruice, shall not bee bound to doe such suits, or other like, contrarie to the forme of their seoffement. Marl. 52. H. 3. 9.

One suit for
seuerall copers
tenants &c.

2 If any inheritance, whereof but one suit is due, descend vnto many heires, as to parceners, who so hath Enitiam partem, shall do the one suit for himselfe, and his fellowes. And other coheires shall bee contributozie for their portion, for doing

ing such suit. And if there be diuers feoffees of an inheritance, whereof but one suite is due, the Lord of the fee shall haue but that one suite, and shall not exact of the said inheritance but one suite, as hath bene used to be done before. And if those feoffees haue no warrant or meane which ought to acquite them, then all the feoffees, according to their portion shall be contributory for doing the suite for them. Marb. 5 2. H. 3. 9.

Swannes.

If any person, or other to his use, shall haue or possesse any marke or game of Swannes of his owne (except he haue lands and tenements of estate of freehold, to the yearly value of five markes, aboue all yearly charges) then any other person being the Kings subjects, hauing lands to the yearly value of five markes, may selle the said Swannes as forfeited to the use of the King and himselfe. 22. Ed. 4. 6.

1 It is not lawfull to take Swannes egges out of the nestes. See Haukes 3. Fe-
sants 6.

Taile.

If lands be giuen to a man and to his wife, and the heires of their two bodies begotten, with condition that if the said husband and wife do die without heire of their two bodies begotten, the land so giuen shall reuert to the dono, or his heire. And if any man giue land in Franke marriage, which gift hath a condition annexed (though it be not expessed in the deed of gift) videlicet, That if the husband and wife doe die without heire of their bodies begotten, the tenement so giuen shall reuert to the dono, or his heire. And if any man giue land to one, and to the heires of his bodie lawfully begotten, in the foresaid cases, the will of the dono shall be obserued, according to the forme expessed in his deed of gift, so that they to whom the tenement is giuen upon condition, haue not power to alien the tenement so giuen, whereby the same tenement shall not remaine vnto their issue to whom it was giuen after their decease, or reuert to the dono or his heire, if the donee haue no issue, or if he haue issue, and that issue die without issue. For the second husband of such a woman shall haue any thing in such land conditionally giuen after the death of his wife, by the curtesie of England. For the issue of the second husband and wife shall haue any inheritance: But immediately after the death of the husband and the wife to whom the tenement was giuen, the same shall reuert vnto their issue, or to the dono or his heire. Westm. 2. 13. Ed. 1. 1.

In gifts in
taile, the do-
nors will shall
be obserued.

1 A fained reuerie had against tenant in taile of lands whereof the reuerfion or remainder is in the king, shall not conclude the heire. S. Recoueries 2.

2 Where a fine leuied by tenant in taile, shall conclude the heire in taile, and where not. S. Fines 14. 17.

3 Lands entailed shall be charged to the payment of the debts which the ancestor ought to the King. S. Accompt to the King 6.

4 Where lands entailed shall be forf. by attainder of high treason, and where not. S. forfeiture 2.

5 What Lease made by tenant in taile shall binde his heires. S. Leases 1. 2. S. Re-
coueries 4.

6 Presentation to a Church by an vsurper, during the estate of tenant in taile, shall not preiudice him in the reuerfion. S. Aduowson 1.

Tame beasts. Tenth.

Tame beasts.

Cutting out
of Beasts
tongues.

Whoſoever doth maliciously, unlawfully, and willingly cut, or cauſe to be cut out, the tongue of any Tame beaſt of any other perſons, the ſaid beaſt then being in life, ſhall loſe vnto the partie grieved treble damages, to be recovered by A. of Treſpaſſe, and ſhall forfeit to the King tenne pounds for a fine. 37.H.8.6.

² If any Treſpaſſor be attainted that hee hath taken Tame beaſtes or other thing in his parke by manner of robberye, in coming, carrying, or returning, let the common Law be executed vpon him, as vpon him that is attainted of open theft and robberye, as well at the ſuite of the King as of the partie. Westminster 1.3.Ed.1.20.

Tenth.

A Tenth reſerued vpon
Abbey lands.

AN.27.H.8.27. It is enacted, that vpon all and ſingular letters Patents to be made vnder the great Seale of England, of any Mannors, Lands, Tenements, and Hereditaments, belonging to any of the houſes compriſed in the Act made 27.Hen.8. (provided for the diſſolution of Monasteries and other Religious houſes, hauing not Lands, Rents, or other Hereditaments, above the cleere yearely value of CC.l.) to any perſon or perſons, or bodies politique, for any eſtate of inheritance, there ſhould be alwaies reſerued to the King, his heires and ſucceſſors, a tenure by Knights ſeruiſe in Capite, and a yearely rent of the tenth part of the yearely value of the lands to be compriſed in every ſuch letters Patents, according to ſuch rate as the ſame lands &c. given ſhall be expreſſed to be of a yearely value in the ſame letters Patents: Any thing or claufe contained in warrant to the contrarie thereof notwithstanding, and that none auerrement ſhall be made or admitted, by, or for the King, or any other perſon, that the manors, lands, and tenements, be of more yearely value then in the ſame Letters Patents ſhall be declared.

A remedie for
the Tenth
detained.

² An.33.H.8.39. It is enacted, that if any perſon, or bodie politique, to whom the King hath by his Letters Patents vnder his great Seals, or Seale of the court of Augmentations, given, or ſhall give with reſervation of rent, any lands, tenements rectories, or other hereditaments, which were or ſhall be in the order and ſurvey of any of the Courts of his Exchequer, Duchy of Lancaſter, Augmentations, Suruetor generall, Maſter of the Wardes and Lineries, or Court of the firſt Fruits and Tenth, to be had to them and to their heires or ſucceſſors, or for any other eſtate of inheritance, or for terme of life or lues, preſenting and reſerving to the King, his heires or ſucceſſors, one yearely rent at one certaine day or feaſt, in the ſame Letters Patents expreſſed, and to be paid in the ſame Courts, that if the ſame perſon, bodie politique, his heires, ſucceſſors, or aſſignes or any of them, do not truly pay vnto the Treasurers, or to the generall or particular Receiver of the ſame ſeverall Courts aſſigned for the ſame, to the uſe of the King, at the day or feaſt limited by the ſame Letters Patents, or within three moneths next after, all ſuch ſummes of money reſerued by the ſame Letters Patents, or make ſufficient tender thereof to the ſaid Treasurer, or generall or particular Receiver: that then the ſame perſon, bodie politique, his heires, ſucceſſors, or aſſignes, for default of payment thereof, to forfeit to the King, his heires and ſucceſſors, ſo much money as the fourth part of the ſame rent reſerued for one yeare doth amount vnto, in the name of a paine, above the ſame rent reſerued. And if he, his heires or aſſignes doe not pay or tender the rent within halfe a yeare after the day expreſſed in

in the Letters Patents, and also the said money for in the name of a paine, then he shall forfeit to the King so much money as the moitie of the rent reserved for one yeare doth amount unto, besides the rent reserved, and so to forfeit for everie halfe yeare after so much money as the whole rent reserved for one whole yeare doth amount unto, for the which rent, arrerages, and paine, the said Treasourer and Receiver may distraine, and the head officer of the Court upon certificat, may award forth proccesse against the offendor for the rents and forfeitures. And if any person pay the said Tenth, and bring an Acquittance, the Treasourer, or Receiver, after the receipt thereof, shall signe the Acquittance, without taking any thing therefor, upon paine of forfeiture of xl. shillings, and if the partie bring no acquittance, but that the Treasourer or Receiver doe make and signe one, he shall take but iij. s. upon paine of forfeiture xl. s.

3 All Letters Patents made by King Hen. 8. sithence 4. Feb. Anno 27. of his Reigne, and by king Ed. the 6. sithence 28. Januarij, Anno primo of his Reigne, of Bargaines, sales, gifts, exchanges, or otherwise, & sealed with the great Seale of England, or with the great Seale of the Duchy of Lancaster, shall be good, perfect, and available to all intents and purposes, according to the said Letters Patents: The nonage of the said king Ed. 6. as Duke of Lancaster, the lacke, or losse of the particulars, or bill signed of the Patentes, or any Act, statute, or lawes, for, or concerning any tenures, reservations of rents, or tenths, to the contrarie notwithstanding. 7. Ed. 6. 3.

A Confirmation of Patents, though the Tenth be not reserved.

1 Which Ecclesiasticall persons shall pay Tenthes, and vpon what paines. S. Ecclesiasticall &c. 28. 29.

2 Tenthes shall be paid out of the lands of Colledges, Chauntries, Free Chapels, &c. S. Monasteries 27.

3 The Successors remedie which payeth a Tenth due by his Predecessor. S. 27. H. 8. 8.

4 In what place the Bishops of Chester, Glocestor, Peterborough, Bristow, and Oxford, shall pay their Tenthes. S. 34. H. 8. 17.

Tenure:

All Honors, Castles, Manors, Lands, Tenements, and other Hereditaments, holden of the King &c. by Knights service, Socage, or otherwise, as of any of his Dukedomes, Earledomes, Baronies, Castles, Manors, Lands, Tenements, Fees, or Seigniories, which be come to the King, or his Progenitors, or hereafter shall come to him, his heires or successors, by meanes of any attainder of Treason, Misprision of Treason, attainder of Prison and Præmunire, had and done by Act of Parliament, by verdict, confession, conviction, outlawrie, or of any dissolution, surrender, or giving up of any Religious or Ecclesiasticall houses or places, or of any lands, tenements, or hereditaments, to any of the said houses or places belonging, shall not be adjudged to any intent to bee holden in Capite, or as Tenure in Capite. 1. Ed. 6. 4. Magna Charta. 9. H. 3. 31. 1. Ed. 3. 13.

No tenure in Capite by reason of lands coming to the K. by attainder, or other title.

2 This Act shall not be prejudiciall to the King &c. concerning any Wardship, Liverie, Primer seisin, fine for Alienation, or for any other profit coming to him from any person holding any lands, tenements, or other hereditaments of his Grace in chiefe, as of his person, or of any other his auntient possessions, & being not come to him by any such attainder, conviction, outlawrie, dissolution, giving up, or surrender, as be abovesaid. 1. Ed. 6. 4.

Tenure of the King in chiefe as of his person.

3 This Act shall not give any libertie or profit to any Tenant or Owner in fee simple, of any lands, tenements, or other hereditaments, which have heretofore

Conclusion of tenure by matter of Record.

Tenure.

suied any speciall, or generall Liverie, or Ouster le maine, out of the hands of the King, or of any his progenitors, of any lands, &c. by what tenure or service they were, or be holden, or that have, or shall confesse by any matter of Record, any tenure in chiefe of the King, but they, their heires and assignes shall have and hold the same Lands &c. in like manner, as they did befoze the making of this Act &c. 1. Edw. 6. 4.

Tenures bn-
certainly found
by off. cc.

4 Where any Inquisition or Office shall be found by these words, or like, Quod de quo, vel quibus tenementa prædicta tenentur, Juratores prædicti ignorant, or else found holden of the King Per quæ servitia ignorant, or such like, in such case, such Tenure so uncertainly found, De quo, vel de quibus prædicta tenementa tenentur ignorant, shall not be taken for any immediate tenure of the King: For such tenure so found of the King, Per quæ servitia ignorant, shall not be taken any tenure in Capite, but in such cases a Melius inquirendum shall be awarded, as hath bene accustomed in old time. 2. Ed. 6. 8.

The feoffee
shall hold of
the chiefe
Lord, & not
of the feoffor.

5 It is lawfull for everie fæman to sell his lands, or tenements, or part thereof, at his owne will, so that he which is infeoffed shall hold the same land or tenement of the chiefe Lord of the same fæ, by the same services and customes wherby his feoffor held befoze. And if he sell part of his land to any man, the feoffee shall hold immediately of the chiefe Lord, and shall be forthwith charged with so much of the services, as both or ought to belong to the chiefe Lord for that parcell, according to the quantitie of the land sold, and so in this case, the same part of the service shall remaine to the Lord, to be taken by the hands of the feoffee, for the which he shall be attendant to the Lord, according to the quantitie of the land sold for the parcell of the service due. By such sales or purchases, no lands or tenements, or any parcell of them shall come into Mortmaine contrarie to the Statute thereof made. But this Statute extendeth onely to Lands sold, which be holden in fee simple. West. 3. 13. Ed. 1. Quia emptoris terrarum.

Tenure in
Capite refer-
red upon cer-
taine Abbey
lands.

6 Anno 27. H. 8. 27. it was enacted, That vpon all and singular Letters patents to be made vnder the great Seale of England, of any manors, lands, tenements, & hereditaments (belonging to any of the houses comprised in the Act provided 27. H. 8. for the dissolution of Monasteries, and other Religious houses, having not lands, rents, or other hereditaments, above the cleere yearely value of CC. pounds, and committed to the survey of the Court of Augmentations) to any person or persons, or bodies politike, for any estate of inheritance, there shall be alwayes reserved to the King, his heires and successors, a tenure by Knights service in Capite: Any thing or cause contained in warrant to the contrarie thereof notwithstanding. After by the Statute made 35. H. 8. 14. and 37. H. 8. 20. it was provided, that the said King Hen. 8. might at his pleasure, during a certaine time, reserve vpon his Letters Patents graunted of certaine lands in the said Statutes mentioned (not exceeding the yearely value of xl. shillings, which were belonging to any of the forenamed dissolved Monasteries) certaine other tenures, and not in Capite.

The Patents
of King H. 8.
and Ed. 6. con-
firmed, not-
withstanding
the omission
of Tenures.

7 But by the Statute of 7. Ed. 6. 2. it was ordained, That all Letters Patents made by King Hen. 8. sithence 4. Feb. Anno 27. of his Reigne, and by King Edward the 6. sithence 28. Januarij, Anno primo of his Reigne, of bargaines, sales, gifts, exchanges, or otherwise, sealed with the great Seale of England, or with the great Seale of the Duchy of Lancaster, shall be good, perfect, and available to all intents and purposes, according to the said Letters patents: The nonage of the said King Ed. 6. as Duke of Lancaster, the lacke or losse of the particulars, or bill signed of the Patentees, or any Act, statute, or lawes, for, or concerning any tenures, reservations of rents, or Wenthes, to the contrarie notwithstanding. 7. Ed. 6. 3.

1 What

1 What tenure of the King doth draw to him Wardship, and what not. S. Wards 17. 18.

2 He which holdeth his land by new Eſcheat of the King, holdeth not in Capite S. Prerogative 8.

3 Each Coparcener of lands holden of the King in Capite, ſhall haue part of the ſame lands, and hold by the ſame tenure. S. Partition 1. Prerogative 6.

4 Where lands holden of a common perſon coming to the Kings hands ſhall be graunted ouer to another, the tenure ſhall be reuiued. 7. Ed. 4. 5.

Tyles.

Euerie perſon which ſhall uſe the occupation of making of thack Tyle, rooſe Tyle, creſt Tyle, cozner Tyle, or gutter Tyle, ſhall make it good, ſeaſonable, able, ſufficient, and wel whited and annealed, and the ground wherof any ſuch Tyle ſhall be made, ſhall be digged and caſt by, befoze the firſt day of Nouember, next befoze that they ſhall be made, and the ſame earth ſhall be ſtirred and turned befoze the firſt day of Febzuarie then next following, and the ſame earth befoze it be put making of Tyle, ſhall be truely wrough and tried from ſtones, and alſo the vaines called Payline, or Parle, and Chalke (lyng commonly in the ground neere to the land conuenient to make Tyle) after the digging of the ſaid ground, whereof anie ſuch Tyle ſhall be made, ſhall be well and truely ſeuered and caſt from the earth, whereof any ſuch Tyle ſhall be made. 17. Ed. 4. 4.

The preparation of the earth for the making of Tyle.

2 Euerie ſuch plaine Tyle ſhall containe in length ten ynches and a halfe, and in bzeadth vi. ynches and a quarter, and in thickenefſe halfe an ynch, and halfe a quarter at the leaſt: And euerie ſuch rooſe Tyle, or creſt Tyle, ſhall containe in length xiiij. ynches, and the thickenefſe of halfe an ynch and halfe a quarter at the leaſt, with conuenient depeneſſe accoꝝding: Euerie gutter Tyle, and cozner Tyle ſhall containe in length x. ynches and a halfe, with conuenient thickenefſe, bzeadth, and depth accoꝝding. And if any perſon ſet to ſale any ſuch Tyle made againſt the ſoꝝſaid ordinaunce, then the ſeller ſhall ſoꝝſeit to the buyer the double value of the ſame Tyle, and beſides ſhall make fine to the King at his pleaſure. And euery perſon that feeleth himſelfe grieved, and will ſue, ſhall haue an Action of debt againſt the offendoꝝs, and the plaintife (if it be found with him) ſhall recouer his coſts &c. wherein no W. C. P. &c. 17. E. 4. 4.

The length, bzeadth, and thickenefſe of Tyle.

3 The Juſtices of Peace within anie Countie of this Realme, and euerie of them, haue power to enquire, heare, and determine the defaults and offences done againſt this Act, and if it be found, or may appeare to the ſaid Juſtices, or anie of them, by examination, or otherwiſe by their diſcretions, that any perſon hath offended contrarie to this Act: then the ſame Juſtices ſhall aſſeſſe vpon the offendoꝝs no leſſe fine, then ſoꝝ euerie thouſand of plaine Tyle ſet to ſale contrarie to this act, v. s. And ſoꝝ euery hundred of rooſe Tyle vj. s. viij. d. And ſoꝝ euery hundred of cozner Tyle, or gutter Tyle, ij. s. And if leſſe be put to ſale, or ſold, leſſe fines ſhall be paid therefoꝝe, accoꝝding to the rate thereof, by the diſcretion of the ſaid Juſtices, or any of them. 17. E. 4. 4.

Juſt. of peace ſhall heare and determine the offences of Tyle making.

4 And the ſame Juſtices haue power to call befoze them, or anie of them, ſuch, and ſo manie perſons, as ſhall haue beſt experience or knowledge in the occupation of making of Tyle, to ſearch and examine the digging, caſting, turning, parting, making, whiting, and annealing afoꝝſaid. And they which ſo ſhall bee aſſigned Searchers, ſhall haue power to make ſuch ſearch. And no perſon ſhall put ſuch Tyle to ſale, befoze it be ſearched by the ſaid Searchers, vpon paine of ſoꝝſeiture of the ſame. And if the ſame Searchers, or any of them doe find, that anie perſon exerciſing the occupation of Tyle making, doe offend contrarie to this ordinaunce,

Searchers of Tyle.

Tythes, Oblations, &c.

nance, then they shall present such defaults befoze the said Iustices at their next sessions, and euerie such presentment shall be as effectuell in the law, as the presentment of xij. men. 17. Ed. 4. 4.

The Searchers fee and due tie.

5 And such Searchers shall haue of euerie Tyle maker for euerie thousand of plaine Tile searchod, a penie, of euerie hundreded rooffe Tyle, ob. and of euerie hundreded corner Tyle, and gutter Tyle, a farthing. And the same Searchers shall doe their effectuell diligence in this behalfe, according to this ordinance, vpon paine of forfeiture to the King for euery default tenne shillings. 17. Edw. 4. 4. See Iustice of Peace 97.

Tythes, Oblations, &c.

A Decree for the payment of Tythes in London, and the Liberties.

Such order and direction as was made and Decreed by the Archbishop of Cantebury, and certaine Lords and Knights, to whom as well the Parsons, Vicars, and Curates of the Citie and Liberties of London, as the Citizens and Inhabitants of the same did comprouit, and put themselves, concerning the payment of Tythes, Oblations, and other duties, within the said Citie, and Liberties of the same, and is inrolled in the Chauncerie of Record, shall bee as an Act of Parliament, and shall binde as well all Citizens, and Inhabitants of the said Citie and Liberties, as the Parsons, Vicars, and Curates, and their successors for euer, according to the purport and intent of the said Order and Decree, which Decree beareth date 24. die Feb. Anno Domini 1544. and is as followeth. 37. H. 8. 12.

The Decree.

2 The Citizens and Inhabitants of the Citie of London, and Liberties of the same, shall yearely without fraud for euer, pay their Tythes to the Parsons, Vicars, and Curates of the said Citie, and their successors, after the rate following, videlicet, of euery ten shillings rent by the yeare of all Houses, Shops, Warehouses, Cellars, and Stables, and euerie of them within the said Citie and Liberties of the same vij. s. ob. And of euerie xx. s. rent by the yeare ij. s. ix. d. and so aboue the rent of xx. s. by yeare, ascending from ten shillings according to the rate aforesaid.

A house rented at x. s. shall pay xij. s. ob. for Tythe.

Leases reseruing no rent, or lesse then hath bin accustomed.

3 Where any Lease hath bin, or shalbe made of any dwelling house or houses, Shops, warehouses, cellars, or stables, by fraud, reseruing lesse rent then hath bene accustomed, or without any rent reseruing, by reason of any fine paid befoze hand, or by any other fraud, then the Farmor thereof shall pay for his Tythes of the same after the rate aforesaid, according to the quantitie of such rent, as the same houses, Shops, warehouses, cellars, or stables, or any of them were last letten for, befoze the making of such Lease.

Owners inhabiting their owne inheritance.

4 Euerie owner, or inheritor of any dwelling house, warehouse, cellar, stable, and shop, within the said Citie, or Liberties, inhabiting or occupying the same himselfe, shall pay after such rate of Tythe, as is abovesaid, after the quantitie of such yerely rent, as the same was last letten for.

Taking several things by lease, & letting part thereof.

5 If any person shall take any mease, or mansion place by Lease, and the taker thereof, his executors or assignes shall inhabite in part thereof, and shall let out the residue, then the first taker, his executors or assignes shall pay his Tythes after the rate aforesaid, according to his quantitie therein. And his assignes shall pay their Tythes after the rate abovesaid, according to the quantitie of their rent by yeare. And if anie person shall take diuers mansion houses, Shops, warehouses, cellars, or stables in one Lease, and shall let one or moze of them, and keepe one or moze in his owne hands, and inhabite in the same, then he shall pay his Tythes after the rate abovesaid, according to the quantitie of the yearely rent of such house or houses retained in his hands. And his assignee or assignes of the residue shall pay

pay his or their Tythes after the rate abovesaid, according to the quantitie of their yearely rents.

6 If any Farmor or his assignes, of any mansion house or houses, warehouses, shops, cellars, or stables, shall let over all the same contained in his lease, to one or diuers persons: Then the Inhabitants, Lessors, or Occupiers of them, and of curie of them, shall pay their Tythes after the rate of such rents, as the Inhabitants, Lessors, or Occupiers, and their assignes shall be charged withall, without fraud or couin.

The Tenant of several houses assigneth all the same.

7 If any dwelling house (within eight yeares before this Decree) was, or here after shall be converted into a warehouse, storehouse, or such like, or if a warehouse, or storehouse, or such like within the foresaid time, was, or shall be converted into a dwelling house: then the occupiers thereof shall pay Tythes for the same, after the rate aboue declared of mansion house rent.

A dwelling house made a warehouse, or storehouse, &c. converted.

8 Where any person shall demise any Diehouse, or Brewhouse, with implements conuenient for drying or brewing, reseruing a rent vpon the same, as well in respect of such implements, as of such Diehouse or Brewhouse: Then the tenant shall pay his Tythes after such rate as is abovesaid, the third peny abated. And euery principall house with key or wharfe, hauing any Crane or Gibbet belonging to the same, shall pay after like rate of their rents as is abovesaid, the third peny abated. And other wharfes, belonging to houses hauing no Crane or Gibbet, shall pay for their Tythes, as shall bee payed for mansion houses, in forme abovesaid.

Diehouse or Brewhouse with stocke.

House with key or wharfe.

9 Where any mansion house with a shop or stable, warehouse, wharfe with Crane, Timber yard, Teinter yard, or Garden belonging to the same, or as parcel of the same, is, or shall be occupied together, if the same be after leuured: Then the farmor or farmors, occupier or occupiers thereof, shall pay such Tythes, as is abovesaid, for such shops, stables, warehouses, wharfes with crane, Timber yard, Teinter yard, or Garden so leuured, after the rate of their seuerall rents thereupon referred.

A house with other things occupied together, and after leuured.

10 The said Citizens and Inhabitants shall pay their Tythes quarterly, videlicet, at the feast of Easter, the Nativitie of Saint John Baptist, the feast of Saint Michaele the Archangell, and the Nativitie of our Lord, by even portions.

Citizens shall pay their tythes quarterly

11 Euery householder paying x. s. rent or above, shall for him or herselfe, be discharged of their iiii. offering daies, but his wife, children, seruant, or others of their family taking their rights of the Church at Easter, shall pay ij. s. for their iiii. offering daies yearely.

4. Offering daies.

12 If any house which hath bene or shall be letten for x. s. rent by the yeare or more, be, or within viii. yeares before this decree hath bin, or shall be deuided and letted into small parcels, yielding lesse yearely rent then x. s. by yeare: Then the owner (if he dwell in any part of such house) or else the principall lessee, if the owner do not dwell in some part of the same, shall pay for his Tythes after such rate of rent, as the same house was accustomed to be letten for, before such diuision. And the vnder Farmor and Farmors to be discharged of all Tythes for such small parcels rented at lesse yearely rent then x. s. paying ij. s. a piece yearely for their foure offering daies.

A house of x. s. rent deuided into small parcels.

13 For such Gardens as appertaine not to any mansion house, and which any person shall hold in his hands for pleasure, or to his owne use, the person so holding the same shall pay no Tythes for the same. But if any person which shall hold any such Garden, contayning halfe an acre or more, doth, or shall make any yearely profit thereof by way of sale, then hee shall pay such Tythes for the same after such part of his rent, as is herein first aboue specified: But if any such Gardens

Tythes, &c.

Gardens now (viz. at the time of the Decree made) being of the quantitie of halfe an acre, or moze, be hereafter by fraud deuided into any lesse quantitie, then to pay Tythe according to the rate abouesaid.

The houses of noble men and Companies.

14 This Decree shall not extend to the houses of great men, or Noble men, or Noble women, kept in their owne hands, and not letten for any rent, which in time past hath paid no tythes, so long as they shall so continue vnletten. Nor to any Halls of Crafts, or Companies, so long as they shall be kept vnletten, so that the same Halls in time past, haue not vsed to pay any tythes.

Sheds, Stables, cellars, timber yards, tenter yards.

15 This Decree shall not charge any Sheds, Stables, cellars, timber yards, ne feinter yards, which were neuer parcell of any dwelling house, ne belonging to any dwelling house, ne haue accustomed to pay any tythes, but the Citizens and inhabitants thereof shall be quite of payment of tythes, as hath bin vsed.

Lesse by custome then xvj s. ob. in the r. s. rent.

16 Where lesse summe then after xvj s. ob. in the r. s. rent, or then ij s. ix. d. in the r. s. rent hath bene accustomed to be paid for tythes, then in such places the said Citizens and Inhabitants shall pay but onely after such rates as hath bin accustomed.

It meane to end contenton that may arise vpon demanding of tythes.

17 If anie variance shall arise in the said Citie for non payment of any Tythes, or if any variance or doubt arise vpon the true knowledge or diuision of any rent, or Tythes within the liberties of the said citie, or of any extent or assessment thereof, or if any doubt arise vpon any other thing contained in this Decree: Then vpon complaint made by the partie grieved, to the Mayor of London for the time being, the said Mayor by the aduice of the Councell, shall call the said parties befoze him, and make a final end in the same, with costs to be awarded by the discretion of the said Mayor and his assistants, according to the true intent of this Decree. And if the said Mayor make not an end thereof within two moneths after complaint to him made, or if anie of the said parties find themselves grieved: Then the Lord Chancelloz vpon complaint to him made within thre moneths then next following, shall make an end in the same, with such costs to be awarded, as shall be thought conuenient, according to the intent of this Decree.

Tenements let for a small rent, by reason of decay.

18 If any person take any tenement for a lesse rent then it was accustomed to be letten for, by reason of any great decay, burning, or such like occasions or misfortunes, then he shall pay tythes only after the rate of the rent reserued in his lease, and no otherwise, as long as the same lease shall endure.

Refusals to pay Tythes according to the Decree.

19 Every person denying to pay any of his Tythes, Oblations, or other duties, contrary to the said decree, shall by the commandement of the Mayor of London, and in his default or negligence by the Lord Chancelloz, be committed to prison, there to remaine till he hath agreed with the Curate for his said tythes, oblations, and other duties, as is aforesaid. 37. H. 8. 12.

Tythes shall be paid according to the custome of the parish where &c.

20 All persons of the Kings Dominions, shall fully and truly set out, or pay all and singular Tythes and offerings, according to the lawfull customes of the parishes and places where such Tythes or duties shall grow, arise, or bee due. And in case any person of his peruerse will, shall withhold any of the said Tythes or offerings, or part thereof, then the partie being Ecclesiasticall or lay person, having cause to demand or haue the same, being thereby wronged or grieved, shall and may conuent the offender befoze the Ordinarie, his Commisarie, or other competent Minister, or lawfull Judge of the place where such wrong shall bee done, according to the Ecclesiasticall Lawes. And in euerie such case the same Ordinarie &c. having the parties, or their lawfull procurators befoze him, shall and may proceed to the examination, hearing, and determining of euerie such cause ordinarily or summarily, according to the course and pprocess of the Ecclesiasticall Lawes, and thereupon may giue sentence accordingly. 32. Henrici 8. 7. 27. Hen 8. 20.

The offender conuicted befoze the Ordinarie.

21 And in case that any of the parties for any cause concerning that suit, doe appeale from the sentence of the said Ordinarie or Judge: Then the same Judge forthwith shall adiudge to the other partie the reasonable costs of his suit therein before expended, and shall compell the appellant to pay the same costs by compulsion of the said Ecclesiasticall lawes, taking suertie of the other party to restore the same costs to the appellant, if after, the principall cause of that suit of appeale shall be adiudged against the same partie, to whom the said costs shall be yeelded. And so euery competent Judge Ecclesiasticall shall adiudge costs to the other partie, vpon every appeale made in any suit or cause of subtraction or detention of any tythes, or offerings, or in any other suit made, for, or concerning the dutie of such tythes, or offerings. 32. H. 8. 7.

The appellant shall pay costs of suit to the other partie. Suertie to restore costs to the appellant, if the cause be adiudged for him.

22 If any person after such sentence definitive given against him, obstinately refuse to pay his Tythes, or duties, or such summes of money so adiudged, wherein he is condemned for the same: Then two Iustices of the Peace of the same Shire (whereof one to be of the Quorum) haue authoritie vpon Information, Certificat, or Complaint to them made in writing by the Ecclesiasticall Judge that gave the same sentence, to cause the same person so refusing, to bee attached and committed to the next Gaole, and there to remaine without baile or mainpemie, vntill he shall haue found sufficient suerties, to be bound by Recognisance, or otherwise, before the same Iustices, to the vse of the King, to performe the said sentence. 32. H. 8. 7. And in like sort may any one of the K. Councell, or two Iustices of Peace, vpon an information or request made to them by the Ordinarie, commit any offender to ward, for any contempt, contumacie, disobedience, or any other misdemeanour of his, in any suit for subtraction of Tythes, Offerings, or other duties of the Church, vntill he hath found suerties &c. vclapra. 27. Henrici 8. 20. See Iustice of Peace 104.

The offender bound by two Iustices to obey the Ordinarie sentence.

23 In cases where any person or persons which shall haue estate of Inheritance, freehold, terme, right, or interest, of, in, or to any Parsonage, Vicarage, portion, pension, tythes, oblations, or other Ecclesiasticall profit, made temporall, or admitted to abide in Temporall hands, and lay vles, by the Law or Statutes of this Realme, shall be disseised, deforced, wronged, or otherwise kept or put from their lawfull inheritance, estate, seisin, possession, right, or interest, of, in, or to the same, or of, in, or to any parcell thereof, by any other person or persons, pretending to haue interest, or title, in, or to the same: Then in all and euery such case and cases, the person or persons so disseised, deforced &c. their heires, wiues, and such other, to whom such iniurie shall be done, shall and may haue their remedie in the Kings, or other Temporall Courts, as the case shall require, for the recoverie, getting, or obtaining of such Inheritance, estate, freehold, seisin, possession, terme, right, or interest, by Writts originall of Precipe quod reddat, Assise of Nouel disseisin, Mortdauncester, Quod ei deforceat, Writts of Dower, or other Writts originals, as the case shall require, deuised and graunted in the Chancerie, of euery such Parsonage, Vicarage, portion, pension, or other profit called Ecclesiasticall or Spirituall so to be demaunded, according to the nature and cause of the suit thereof, in like manner and forme, as they should, might, or ought to haue had, of, or for lands, tenements, or other hereditaments, in such manner to be demaunded: And Writts of Covenant, and other Writts for Fines to be leuied, and all other assurances to bee had, made, or conueyed of any such Parsonage, Vicarage, portion, pension, or other profit called Ecclesiasticall or Spirituall, as is also said, shall be deuised and graunted in the said Chancerie, according as hath bene bled for Fines to be leuied, and assurances to be had, made, or conueyed of lands, tenements, or other hereditaments. And all Judgements to be given vpon any of the said Writts originall so to be deuised or graunted, of, or for any the premises, and all

Recovery and conuicte in a Temporall Court for Tythes.

Tythes, &c.

all Fines to be leuied in any of the Kings Courts thereof, shall be of like force and effect in the Law to all intents, as Judgements giuen, and fines leyed of lands, &c. in the same Courts vpon wryts originall thereof duly pursued and prosecuted. 32. H. 8. 7.

Tythes and offerings shall be only recovered in the Spirituall Court.

24 But this Act shall not giue anie remedie, or cause of Action or suit in the Courts Tempozall, against anie person which shall refuse to set out his Tythes, or which shall withhold, or refuse to pay his Tythes or Offerings, or anie part thereof: But the partie hauing cause to demand the same, shall take his remedie for them in euerie such case in the Spirituall Courts, according to the ordinance aforesaid. 32. H. 8. 7.

Setting forth or paying of pzediall tythes

25 Euerie of the Kings Subjects shall truly and iustly, without fraud or guile, diuide, set out, yeld, and pay all manner of their Pzediall Tythes in their proper kinde as they rise and happen, in such maner and sozme, as hath bin of right yelded and paid within fortie yeares, next befoze the making of this Act (being 4. Nouemb. Ann Dom. 1548.) of right, or of custome ought to haue beene paid. And no person shall take, or carrie away any such or like tythes, which haue bin yelded or payed within the said fortie yeares, or of right ought to haue bin paid in the place or places tythable of the same, befoze he hath iustly diuided or set forth for the tythe thereof, the tenth part of the same, or otherwise agreed for the same Tythes with the Parson, Vicar, or other Owner, Proprietorie, or Farmoz of the same Tythes, vnder the paine of forfeiture of treble value of the tythes so taken or carried away. 2. Ed. 6. 13.

The Parson may carrie away his tithe.

26 At all times whensoever the said pzediall Tythes shall be due at the tything time of the same, it shall be lawfull to euerie partie, to whom any of them ought to be payed, or his deputie, or seruant, to see their said Tythes to be truly set forth, and seuered from the ninth parts, and the same quietly to take and carrie away. 2. Ed. 6. 13.

Carrying the Cozne or Hay befoze tithe be set forth, or letting the parson to take his tythes.

27 If any person carrie away his Cozne, or Hay, or his other pzediall Tythes, befoze Tythe thereof be set forth, or willingly withdraue his Tythes of the same, or of such other things whereof Pzediall Tythes ought to be paid: Or doe stop, or let the Parson, Vicar, Proprietarie, Owner, or other their deputies, or Farmozs, to view, take, and carrie away their Tythes, as is abovesaid, by reason whereof the said Tythe or Tenth is lost, impaired, or hurt: Then vpon due prooffe thereof made befoze the Spirituall Judge, or anie other Judge, to whom heretofore he might haue made complaint, the partie so carrying away, withdrauing, stopping, or letting, shall pay the double value of the Tenth or Tythe so taken, lost, withdrauene, or carried away, ouer and besides the costs, charges, and expences of the suit in the same: The same to bee reconered befoze the Ecclesiasticall Judge, according to the Kings Ecclesiasticall Lawes. Anno 2. Edward 6. 13.

The Tithe of cattell feeding in any wast ground, whereof the parish is not known.

28 All and euerie person, which hath, or shall haue anie beasts, or other cattell tythable, going, depasturing, or feeding in any wast or common ground, whereof the Parish is not certainly knowne, shall pay his Tythes for the increafe of the said Cattell so going in the said wast or common to the Parson, Vicar, Proprietarie, Portionarie, Owner, or other their farmozs, or deputies, of the Parish, Hamlet, Town, or other place where the owner of the said cattell inhabiteth or dwelleth. 2. Ed. 6. 13.

The tythe of barren heath, or wast ground

29 All such barren heath, or wast ground (other then such as be discharged for the payment of Tythes by Act of Parliament) which befoze this time hath layen barren, and paid no Tythes, by reason of the same barrennesse, and now be, or hereafter shall be improued, and conuerted into arable ground, or meadow, shal after the end of hij. yeares next after such improuement fully ended and determined, pay

pay Tythe for the Cozne and Hay growing vpon the same. But if any such barren, wast, or heath ground hath befoze this time bin charged with the payement of any Tythes, & the same be after improued, & conuerted into arable ground, or meadow: Then the owner or owners thereof shall during vij. yeares next following from and after the same improuement, pay such kind of Tythe as was paid for the same befoze the said improuement. 2. Ed. 6. 13.

30 Cuerie person exercising merchandizes, bargaining, and selling, clothing, handicraft, or other Art, or Facoltie, being such kind of persons, and in such places as heretofore within these xl. yeares haue accustomedly bled to pay such personall Tythes, or of right ought to pay (other than such as be common day Labourers) shall yerely, at, or befoze the feast of Easter, pay for his personal tithe the tenth part of his cleere gaines (his charges & expences, according to his estate, condition, or degree, to be therein deducted.) But in all such places where handicraftsmen haue bled to pay their tithe within these xl. yeres, the same custome of payment of tithe shall be obserued and continue. 2. Ed. 6. 13.

Merchants and handicraftsmen shall pay the Tenth part of their gaines.

31 If any person refuse to pay his personall Tythes in forme aforesaid: Then it shall be lawfull to the Ordinarie of the same Diocese where the partie that so ought to pay the said Tythes is dwelling, to call the same party befoze him, and by his discretion to examine him by all lawfull and reasonable meanes (other than by the parties owne controuersiall Daty) concerning the true payment of the said personall Tythes. 2. Ed. 6. 13.

The Ordinarie may examine him which refuseth to pay his personal Tythes.

32 All and euery person and persons, which by the Lawes and customes of this Realme ought to make, or pay their Offerings, shall yearely truly content and pay his or their Offerings to the Parson, Vicar, Proprietarie, or other deputies or farmours of the parish or parishes where hee or they shall dwell or abide, at such foure Offering daies, as at any time heretofore within the space of foure yeares last past (being 4. Nouem. An. Dom. 1548.) hath bin accustomed for the payment of the same. And in default thereof, to pay for the said Offerings at Easter then next following. 2. Ed. 6. 13.

Payment of Offerings.

33 This Act shall not extend to any Parish which stands vpon and towards the Sea coastes, the commodities & occupying whereof consisteth chiefly in Fishing, and haue by reason thereof bled to satisfie their tithe by fish. But all and euery such parish & parishes shall pay their tithe according to the laudable customes, as they haue heretofore of ancient time within this xl. yeres bled & accustomed, & shall paie their Offerings as aforesaid. 2. Ed. 6. 13.

Tithe of Fish.

34 If any person doe subtract or withhold any Tythes, Obventions, Profits, or other duties befoze mentioned, or any part thereof, contrarie to the true meaning of this Act, or any other Act heretofore made: Then the partie so subtracting, or withholding the same, may, or shall be conuicted and sued in the Kings Ecclesiastical Court, by the partie from whom the same shall be subtracted or withheld, to the intent the kings Judge Ecclesiastical, shall & may then and there heare and determine the same, according to the B. Ecclesiastical Lawes. And it shall not be lawfull vnto the Parson, Vicar, Proprietarie, Owner, or other their Farmours, or deputies, contrarie to this Act, to conuent or sue such withholders of Tythes, Obventions, or other duties aforesaid, befoze any other Judge than Ecclesiastical. 2. Ed. 6. 13.

Suites for withholding of Tythes shall be in the Ecclesiastical Court.

35 If any Archbishop, Bishop, Chauncellour, or other Judge Ecclesiastical, give any sentence in any of the foresaid causes of Tythes, Obventions, Profits, Emoluments, & other duties aforesaid (and no Appeale, ne Prohibition hanging) if the party condemned do not obey the said sentence: Then it shall be lawfull to euery such Judge Ecclesiastical &c. to excommunicate the said partie, so as afoze conuicted, and disobeying, in the which sentence of excommunication, if the said

The offenders disobeying the Judges sentence, shall be excommunicate.

Tythes, &c.

partie excommunicate wilfully stand & endure still excommunicate by the space of xl. daies next after, upon denunciation & publication thereof in the Parish Church of the place or Parish where the partie so excommunicate is dwelling, or most abiding, the said Judge Ecclesiasticall may then at his pleasure signifie to the King in his court of Chancerie, the state & condition of the said party so excommunicat, and thereupon require pzoers De Excommunicato capiendo, to be awarded against every such person that hath bin so excommunicate. 2.Ed.6.13.

Of what things the Judge Ecclesiasticall shall not hold plea.
 36 This Act shall not give any Spinister, or Judge Ecclesiasticall, any iurisdiction to hold plea of any matter, cause, or thing being contrarie or repugnant to the effect or meaning of the statute of Westminster 2.cap.5. the statutes of Articuli Cleri, Circumspecte agatis, Silua cædua, the Treatise de Regia prohibitione, ne against the statute of 1.E.3.10. or any of them, ne yet to hold plea in any matter wherein the Court of right ought to have iurisdiction. 2.Ed.6.13. S.38.39. S.Prohibition 1.2. 3.4.5.6.

London. Canturburie.
 37 The foresaid Statute of 27.H.8. and 32.H.8. shall not extend to any Inhabitant of the Citie of London, and Suburbes of the same, for the payment of their Tythes and Offerings. Neither the Statute of 2.E.6. shall extend to the Inhabitants of the Citie of London, and Canturburie, and the Suburbes of the same. For to any other towne or place that hath used to pay their Tythes by their houses, otherwise than they ought, or should have done before &c. 27.H.8.20. 32.H.8.7.2. Ed.6.13.

Wind Mill.
 38 If any person do erect a new Mill in his ground, hee shall pay Tythe for the same, Articuli cleri.9.E.2.5.S.Prohibition 6.

Silua cædua.
 39 If a man do sel great Wood of the age of xx.yeres, or above, no Tythe shall be paid therefor. 45.Ed.3.5.S.Prohibition 5.

Certaine Abbey lands discharged of Tythes.
 40 Euerie person and persons, their heires and assignes, hauing any Monasteries, Priories, Puntries, Colledges, &c. or other Ecclesiasticall houses or places &c. or any Panoys, Messuages, Parsonages appropziat &c. or other hereditaments which belonged vnto the said Monasteries, Priories, &c. which were discharged, of, and for the payement of Tythes, being in the hands of the Abbots, Priors &c. or other Ecclesiasticall Gouernours, shall haue and enjoy euerie of the said Monasteries, Priories, lands, tenements, & other hereditaments, according to their estates and titles, discharged of paiement of tithes, in as ample maner as any of the said Abbots, Priors, &c. or other Ecclesiasticall Gouernours held or enioied the same at the dayes of their dissolution, or comming to the hands of the K.H.8. of the same. 31.H.8.13.

Tythes of marriage goods in Wales.
 41 No Tythes of Marriage goods shall be required of any person within Wales or the Marches thereof. Neither shall any person be sued, or otherwise compelled to pay any maner of Tythes for any lands, tenements, or hereditaments, which by the Lawes & statutes of this realm, or by any priuiledge, or prescription, are not chargeable with the payment of any such Tythes, or that be discharged by any composition on reall. 2.Ed.6.13.

Discharge of Tythes by prescription or composition. Suit for Tythes by the name of goods carried away.
 42 At what time any person of Holie Church be drowne in suit in a Secular Court for his owne Tythes taken, by the name of goods carried away, and hee which is drowne in suit maketh exception, or alleadgeth that the substance and suit of the cause is onely vpon Tythes due of right, and of possession to his Church, or to some other his benefice: In such case the generall auerrement shall not be receiued, without shewing specially how the same was his lay chattell. 2.Rich.2.14.

1 Where money for tythes is demanded in a special court, the K.prohibition doth lie.S.Prohibition 1.

2 Where vpon suit of Tythes in an Ecclesiasticall Court, a Prohibition is grauntable,

table, and where a Consultation. S. Prohibition 10, S. 5. H. 4. 11.

Toll.

If any do take any outrageous Toll, contrarie to the custome of the Realme in a Parke Towne, which is the Kings Towne, and let to fee farme, the King shall seise the franchise of the market into his own hand. And if it be another towne, and that be done by the Lord of the towne, the K. shall do in like sort. And if it be done by a Bailife, or any meane Officer without the commaundement of his Lord, he shall restore to the plaintife for his outrageous taking, so much as hee hath received of him, if he hath carried away the Toll, and shall be imprisoned fortie daies. West. 1. 3. E. 1. 30.

Excessive toll taken in cities townes.

2 Toll at Mill shall be taken according to the custome of the Realme, and the strength of the course of the water, as of the rr. cozne, or the rriig. cozne. And the measure wherby Tol shall be taken, shall agree with the K. measure, & it shall be taken by the Strickel, & not by heap. And if the Farmors do find to the Millers things necessary for them, they shall take but their due Toll, and if they doe otherwise, they shall be punished. 3. E. 1. Stat. de Vitalarijs.

Toll at Mill.

1 When, where, and of whom Toll for horses shall be taken in a Faire or Market. S. Faies 8cc. 5.

2 In what cases it is not lawfull to take Toll of Fish brought into this Realme. S. Ships 2.

3 Aliens made Denizens, shall pay such Tolls, as they did before.

Tongues, Eyes

If such case the offendoers that shall cut the Tongues, or put out the Eyes of any of the K. liege people, and it be duly proued and found, that such deed is done of malice prepened, the shall incur the paine of Felony. 5. H. 4. 5.

Townes.

If any person or persons, or bodies politike, being owners and possessioners of any desolate, or void grounds, that at any time within xlv. yeares next before the making of this Act (being the 16. of Iacuarie, Ann Dom 1541.) haue bene builded for houses, or habitation, or for any house or houses of habitation, now, or hereafter being in decay, and not fully fallen downe, within the Liberties and precincts of any of the Bozoughes, Townes, and places within the toals & liberties of the Citie of Canturburie, the Citie of Rochester, the bozoughs and townes of Stamfords, and great Grimsby in the Countie of Lincolne, the towne of Cambridge in the Countie of Cambridge, the bozough or towne of Darbie in the Countie of Darbie, the bozough or towne of Gilsford in the Countie of Surrey, the Towne of Dunwich in the Countie of Suffolke, the bozoughes or townes of Cinque Ports, with the members, the Towne of Lewes in the Countie of Sussex, and the towne of Buckingham in the Countie of Buckingham, do not sufficiently reedifie, build, and repaire, or cause to be reedified, builded, and repaired, the said desolate and void grounds, and decayed houses, convenient for habitation and dwelling, within two yeares next after proclamation made, in, or upon the same void ground, or grounds, decayed house or houses, by the Maiors, Aldermen, and Burgesses, or other head Officers, within the precinct of their owne authorities: Then it shall be lawfull for the chiefe Lord or Lords immediate, of whom such desolate and void grounds, decayed and ruinous houses bee

A provision for the repaire of houses in certaine great Townes.

The chiefe Lord enter.

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Townes.

holden, after the said two yeares be expired, to enter into the same, and to haue the same grounds or houses with the curtelage, backside, and garden adioining to the same (if they be of the inheritance of the owner or owners of the said decayed house or ground, and exceed not one acre of ground) to them, and to their heires or successours, or to their owne proper vse soeuer, so that the said Lord or Lords immediate, entring by the authoritie of this Act, doe sufficiently reedifie, build, or repaire the same void ground, or decayed houses, within two yeares and a halfe next immediately following the determination of the foresaid first two yeares. 33. H.8.36.

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charge.

2 And in case such Lord or Lords as may enter by this Act, doe not enter, and well and sufficiently reedifie, build, or repaire the same void ground or decayed houses within the said two yeares and a halfe to them limited by this Act, or if such Lord or Lords immediate as may enter, doe sufficiently reedifie, build, and repaire the same void grounds or decayed houses within the said two yeares and a halfe, to them limited, and after they, their heires or successours suffer the same houses or void grounds to fall in ruine and decay, and not build or reedifie the same sufficiently within two yeares and a halfe, after such ruine or decay: When it shall bee lawfull to all person or persons, or bodies politicke, as shall then haue any rent charge iointly or severally going out of the said void ground or grounds, or decayed house or houses in anie of the said Cities, Boroughs, Townes, or places, immediately after the said two yeares and a halfe expired, to enter into the same, and to haue to such of them, their heires and successours to their owne proper vse, as shall so build the said void grounds or decayed houses by authoritie of this Act, the same void grounds or houses with the curtelage, backside, and garden adioining to the same, if they bee of the inheritance of the owner or owners of the say decayed houses or grounds, and exceed not in quantitie one acre of ground, discharged of all rents going out of the same grounds or houses, as well against the said Lord or Lords immediate, as all other person or persons, or bodies politike, hauing any rent or rents charges, or rent secke out of the same, (other than the fee farme of the said City, Borough, Towne, or place, or some parcell thereof) so that the said person or persons, or bodies politike, hauing the said rent charge, entring by the authoritie of this Act, doe sufficiently reedifie, build, and repaire the same desolate and void ground or grounds, or decayed house or houses, within one yeare and three quarters next and immediately following the determination of the said two yeares and a halfe, to the said Lord or Lords immediately appointed by this Act. 33. H.8.36.

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rat townes.

3 And in case such person or persons, or bodies politicke, hauing any of the said rents charges, as may enter by this Act, doe not enter, and well and sufficiently reedifie, build, or repaire the same void ground, or decayed houses, within one yeare and three quarters to them appointed by vertue of this Act, or if they, or any of them, hauing such rent charge, and that may enter by this Act, do sufficiently build and repaire the same void ground or grounds, or decayed house or houses, within the said one yeare and three quarters to them limited, and after, they their heires or successours suffer the same void ground or grounds, house or houses, to fall in ruine or decay, and doe not build or reedifie the same sufficiently within one yeare and three quarters after such ruine or decay: When it shall bee lawfull to the Maiors, Aldermen, and Burgesses, and other head Officers in the said Cities, Boroughs, Townes, and Places, by what name or names soeuer they bee incorporated, and their successours, and euerie of them, within the limits of their authorities, immediately after the sayd yeare and three quarters expyred, into euerie such desolate void grounds, decayed or ruinous houses, to enter, and haue, hold, and enioy to them and their successours soeuer, to their owne vses, the same

same grounds oꝝ houſes, & euery of them with the curtelages, gardens, and backeſides to the ſame, if they be of the inheritance of the owner oꝝ owners of the ſaid decayed houſe oꝝ ground, & exceed not in quantitie one acre of ground, cleerly diſcharged of all rents going out of the ſame grounds oꝝ houſes, aſwel againſt the ſaid Lord oꝝ Lords immediat, as all other perſon oꝝ perſons; oꝝ bodies politike, hauing ſuch rent charge, oꝝ rent ſeck, as befoze is ſaid (other than the fee farme of the ſaid citie, borough, towne, oꝝ place, oꝝ parcell thereof) So that the ſame Maiors, Aldermen, and Burgeſſes, oꝝ other head Officers, as is afozeſaid, oꝝ their ſucceſſors ſoꝝ the time being, doe reediſie, build, oꝝ repaire, oꝝ cauſe to be reediſied, builded, oꝝ repaired, the ſame ground oꝝ grounds, houſe oꝝ houſes, within iij. yeres next & immediatly following the determination of the ſaid yere & thzee quarters, limited oꝝ appointed to ſuch perſon oꝝ perſons, oꝝ bodies politike, that haue oꝝ ſhal haue any rent as is afozeſaid. An̄ 33. H.8.36.

4 And in caſe the ſaid Maiors, Aldermen, and Burgeſſes, oꝝ other head Officers, as is afozeſaid, oꝝ their ſucceſſors, doe not enter, & reediſie, build, & repaire the ſaid void ground oꝝ grounds, decayed houſe oꝝ houſes, in ſoꝝme afozeſaid, within the ſaid terme of thzee yeaeres after their ſaid entrie, oꝝ if they ſufficiently reediſie, build, and repaire the ſame void ground oꝝ grounds, oꝝ decayed houſe oꝝ houſes, within the ſaid thzee yeaeres to them limited by this Act, and after they, oꝝ their ſucceſſors ſuffer the ſame houſe oꝝ houſes, void ground oꝝ grounds, to fall in ruine and decay, and doe not build and reediſie the ſame ſufficiently within thzee yeaeres after ſuch ruine oꝝ decay: Then it ſhal be lawfull to the firſt owner oꝝ owners, poſſeſſor oꝝ poſſeſſors of ſuch void ground oꝝ grounds, decayed houſe oꝝ houſes, their heires oꝝ ſucceſſors, immediatly after the ſaid thzee yeaeres (to the ſaid Maiors, Aldermen, and Burgeſſes, oꝝ other head Officers, as is befoze limited) erppzed, into the ſame houſe, ground oꝝ grounds, curtelages, gardens, and backeſides to enter, and the ſame to retaine to them, their heires and ſucceſſors, as in their firſt eſtate. 33. H.8.36.

The firſt owners entrie.

5 But this Act ſhall not be pzetiudiciall to any perſon oꝝ perſons being at the time of the ſaid Proclamation made, vnder the age of xij. yeaeres, oꝝ being Feme covert, oꝝ in priſon, oꝝ beyond the Sea in the Kings warres, oꝝ in his other lawfull affaires, oꝝ to any perſon oꝝ perſons not being then of whole and perfect memorie, during the time that ſuch perſon oꝝ perſons ſhall be within age, married, in priſon, oꝝ of no perfect memorie, oꝝ beyond the Sea, ſo that the ſame perſon oꝝ perſons, their heires oꝝ ſucceſſors, after that he oꝝ they come vnto their full age of xij. yeaeres, oꝝ be vnmarrried, out of priſon, oꝝ come againe within this Realme, oꝝ be of whole and perfect memorie, within thzee yeaeres then next enſuing do reediſie the ſame deſolate oꝝ void grounds, oꝝ repaire the ſaid decayed houſes. An̄ 33. H.8.36.

Infants, ſome couer, out of the Realme, in priſon, lunaticke perſons right reſerued

6 An̄ 35. H.8.4. A like Act was made in euerie reſpect, with like prouiſion of ſauing ſoꝝ the repairing of the Towne of Shrewſburie in the Countie of Salop, the citie of Cheſter in the countie of Cheſter, the Towne of Ludlow in the countie of Salop, Hauerford Weſt in the countie of Hauerford in South-wales, the Towne of Pembroke, Tumble in the countie of Pembroke, the Towne of Warmerdein in the countie of Warmerdein, the Towne of Mountgomerie in the countie of Mountgomerie, Cardiffe, Swaneſſe, Colwydridge, Pelw Radnoꝝ and Preſtend in the countie of Radnoꝝ, the Towne of Brecknock in the countie of Brecknocke, and the towne of Monmouth in the countie of Monmouth, the towne of Maldon in the countie of Eſſex, the towne of Abergauenny, Wiſke, Carlion, and Pelwpozt in the countie of Monmouth, the townes of Lancaſter, Preſton, Lerepole, and Wigan in the countie Palantie of Lancaſter.

7 An̄ 32. H.8.18. An Act was made ſoꝝ the repaire of houſes of habitation
Aaaa ij within

Townes.

within the Walls and Liberties of the Cities, Boroughs, & Townes of Dorke, Lincolne, Canturburie, Couentre, Bathe, Chichester, Salisburie, Winchester, Bristow, Scarborough, Berke, Colchester, Rochester, Portsmouth, Pole, Lin, Feuerham, Worcester, Stafford, Buckingham, Pomfret, Grantham, Excester, Ipswich, Southhampton, great Parnmouth, Orford, great Wickham, Gilsford, Ectretford, Kingston vpon Hull, Newcastle vpon Tyne, Wenerley, Bedford, Leicester, and Barwike. And Ann 32. H. 8. 19, a like act is made concerning the repairing of the Boroughs and Townes of Shafton, Sherborne, Wiltport, Worcester, and Weymouth in the countie of Dorset, and the Boroughs and Townes of Blimmouth, Blimpton, Bartable, Tauesstocke, and Dartmouth, within the countie of Devonshire, and the Boroughs and Townes of Launceston, Liscard, Liscuthill, Bodman, Turine, and Helston, within the Countie of Cornewall, and the Boroughs and Townes of Bridgewater, Taunton, Somerton, and Ilchester, within the Countie of Somerset, and the Borough of Maldon in the Countie of Essex, and also the Borough and Shire Towne of Warwike in the countie of Warwike. By which Acts it was provided, that if any person &c. or bodie politike, being owners or possessors of any void grounds that have bene at any time within xxb. yeares immediately past before 12. Aprilis, Anno 31. H. 8. and Anno Dom 1541. builded for houses of habitations, now, and hereafter being in decay, and not fully fallen downe, within the Liberties or precincts of any of the said Cities, Boroughs, or Townes, do not sufficiently reedifie, build, and repaire, or cause to bee reedified &c. the said void grounds or decayed houses convenient for habitation &c. within thre yeares next after Proclamation thereof to be made, in, or vpon the same grounds &c. by the Maiors, &c. or other Officers of euerie of the said Cities, Townes, &c. Then it shall bee lawfull to the Lords of whom such grounds, houses, &c. be holden, after the said thre yeares expired, to enter into the same, and to haue the same &c. to them and to their heires or successours, to their owne vse for ever, so that the said Lords so entering doe sufficiently reedifie the same houses, grounds, &c. within two yeares next following the determination of the said thre yeares. And in case such Lord doe not enter and sufficiently reedifie the same grounds &c. within the said two yeares: Then it shall be lawfull to all such persons, or bodies politike &c. as shall then haue any rent charge going severally out of any of the said grounds or houses &c. immediately after the said two yeares expired to enter into the same, and to haue the same to them, their heires &c. for ever, so that the said persons, or bodies politike &c. do sufficiently reedifie the same grounds within one yeare next following the determination of the said two yeares: And in case such persons, or bodies politike &c. hauing the said rent charges &c. doe not enter, sufficiently reedifie &c. the same grounds &c. within the said one yeare &c. Then it shall bee lawfull to the Maiors, Sherifes, Bailifes, or Comminaltie, or other head Officers of the said Cities, Boroughs, &c. or their successours &c. immediately after the said yeare expired, into euerie such grounds, houses, &c. to enter, and the same to enioie &c. to them and their successours for ever, clearly discharged of all rent going out of the same grounds or houses, as well against the said Lord, as all persons, or bodies politike, hauing any such rent, so that the said Maiors, &c. or their successours &c. doe reedifie &c. the same grounds, houses, &c. within thre yeares immediately following the determination of the said yeare &c. And in case the said Maiors &c. or their successours do not enter and reedifie &c. within the said terme of thre yeares &c. Then it shall be lawfull to the first owners, possessors &c. of such void grounds, or decayed houses &c. their heires or successours immediately after the said thre yeares expired, into the same grounds, or houses, &c. to reenter, and the same to retaine to them, their heires and successours, as in their first

first estate. In which Statutes there be severall Prouiso^s &c. that the said Act^s shall not be prejudiciall to any persons being at the time of the said Proclamation made, vnder the age of one and twentie yeares, to any woman being married, to any person being in prison, or beyond the Sea in the Kings warres, or in his other lawfull affaires, during such time &c. So that the same person do within thre yer^s next ensuing (that same imperfection remoued) reedifie &c. the same grounds, houses &c. as is abovesaid &c.

8 Anⁿ 27. H. 8. 1. It was enacted, that if any owner or owners of any hold and decayed houses, or grounds, within the precinct of the Townes of Nottingham, Shrewsburie, Ludlow, Gloucester, Bridgenorth, Ruinborough, and Northampton, within thre yeares next after Proclamation thereof to be made by the Payors, Sherifes, and Baylifes of anie of the said Towns, in or vpon any such vacant or decayed houses or grounds, doe not enter, and sufficiently reedifie the same houses, grounds &c. Then it shall be lawfull to the Lord of whom such grounds &c. shall be holden, to enter immediatly after the said thre yeares expired, and to haue the same to him, his heires and successors for ever, so that the said Lord do sufficiently reedifie the same within 3. yeares next and immediatly following the determination of the former thre yeares. And if such Lord do not enter and sufficiently reedifie the same within the said thre yeares: Then it shall be lawfull to the said Payors, Sherifes, Baylifes &c. and their successors after the said thre yeares expired, to enter into euery such grounds or houses, and the same to retaine to them and their successors for ever, discharged of all rents going out of the same, so that the same Payors &c. or their successors doe sufficiently reedifie the same grounds, &c. within thre yeares next following the determination of the former thre yeares. And in case the said Payors &c. and their successors, doe not enter, and sufficiently reedifie the same decayed houses or grounds in forme abovesaid, within the said terme of thre yeares: Then it shall be lawfull to the first owners of such decayed ground, their heires or successors, immediatly after the same thre yeares expired, into the same &c. to reenter, and them to retaine to them, their heires and successors, as in their first estate. In which Act there is a Prouiso for euery person being, at the time of the Proclamation made, vnder age, a woman couert, in prison, beyond the Sea &c. *vsupra*.

1 Hee that dwelleth in the Countrey shall not sell wares in Corporate Market townes by retails. S. Merchandize 11. 12.

2 Cloth to be put to sale, shall not be wrought but in market Townes. See Draperie 81.

3 See for Norwich and Linne 26. H. 8. 8. 9.

Trauerse.

Where lands or tenements be seised into the Kings hands by office of the Escheato^r, conteining that the Kings Tenant made alienation thereof without the Kings licence, or that the Kings tenant by knights seruice died seised of lands or tenements in his demesne as of fee, and his heire within age, and after the cause certified into the Chauncerie, he whose lands be seised come into the Chauncerie, and will trauerse the office taken by the Kings commandement, that the same lands were not to haue bene seised, hee shall be thereunto receiued: And the proces shall be sent into the Kings Bench to trie, and further to doe right.

Anⁿ 34 Ed. 3. 14.

2 Where one person or more is, or shall be found heire to the kings tenant, by office or inquisition, where any other person is or shall be heire: Or if one person or more is, or shall be found heire by office in one Countie, and another is, or shall

Trauerse by
on alienation
or death found

Trauerse in
an office found
after the death
of the Kings
tenant.

Trauerse.

shall be found heire to the same person in another Countie : And if any person is, or shall be vntreuely found Lunatike, Ideot, or dead : Every person or persons grieved by any such office or inquisition, shall and may haue his or their Trauerse to the same, immediatly or after, at his or their pleasure, and proceed to triall therein, and haue like remedie and aduantage, as in other cases of Trauerse vpon vntreue offices found : Any law, custome, &c. notwithstanding. 2. Ed. 6. 8.

Trauerse to an office found vpon attainder of felony, &c.

3 Where it is, or shall be vntreuely found by Office or Inquisition, that any person attainted, or that shall be attainted of Treason, Felonie, or Præmunire, is, or shall be seised of any lands, tenements, or hereditaments at the time of such offence committed, or at any time after, whereunto any other person or persons shall haue any iust title or interest of any estate of freehold : When euerie person grieved thereby, shall haue his Trauers, or Monstrance de droit to the same, without being obliged to any Petition of right. And like remedie and restitution vpon his title found or iudged for him therein, as hath bin vsed in other cases of Trauerse, although the King shall be in such case intituled to any such lands by double matter of record : Any law, custome &c. notwithstanding. 2. Ed. 6. 8.

Trauerse where the King is intituled to a tenure where none is.

4 When it shall be found by office or inquisition, that any lands &c. shall be descended, remained, or come to anie heire within age, and in the Kings ward, or that ought to be in the Kings ward, and that such lands are holden of the King immediatly, where indeed the same are holden of some other common person, and not of the King immediatly : In such case such heire or heires shall and may haue his or their Trauerse to the same within age, and like remedie and restitution vpon his or their title found or iudged for him or them therein, as hath bene vsed in other cases of Trauerse : any law, custome, &c. notwithstanding. 2. Edw. 6. 8.

Vpon a tra-uerse a Scire facias shall be awarded against the Patentees.

5 In all such cases as any person shall be enabled by this Act to haue any Trauerse, and shall pursue his trauerse : When he that shall pursue such trauerse, shall sue one Writ, or severall Writs of Scire facias as the case shall require, against all and singular such person and persons as shall haue interest by the King, or by his Patentee or Patentees, in like manner and forme as is requisite vpon Trauerles or Petitions heretofore pursued. And in euerie such Scire facias, the Patentees or other defendants shall haue like pleas and aduantage, as they had in any Scire facias befoze this time awarded against any Patentee in any case of petition. And also vpon euerie Trauerse that shall be pursued by vertue of this Act, in such case as the partie that shall pursue such trauerse, should by order of the common Lawes haue bene put to sue by Petition to the King, there shall be two Writs of Search graunted, in manner and forme as like Writs haue been graunted vpon Petitions made to the King. 2. Ed. 6. 8. Where foure Writs of Search shall be granted. S. Aide of the King 3.

Writs of Search vpon a trauerse.

The Kings former right reserved.

6 If after any Iudgement shall be given vpon any Trauerse that shall be tendered or sued by vertue of this Act, it shall appeare by any matter of record, that the King hath any former title, right, or interest to the lands &c. mentioned in the same trauerse, When the same title, right, and interest shall be saued to him, the said trauerse, and Iudgement thereupon given notwithstanding. 2. Edw. 6. 8. See Offices, Liueries.

1 Where he that is indicted or appealed of Treason shall be receiued to trauers the same. S. Treason 11.

2 Trauerse to an office, whereby lands shall be found to be fraudulently conueyed by any of the Accomptants. S. Accomptants &c. 38.

3 Where lands shall be letten to farme to him that tendreth a Trauerse. See Patents 26.

4 For the triall of a trauerse certified of a Riot. S. Riots 3.

Treason.

Treason.

It is high Treason to compass or imagine the death of the King, the Queene his wife, or of their eldest Sonne and heire: Or to despoile the Kings wife, the Kings eldest Daughter being unmarried, or the Kings eldest Sonne and heires wife: To leue warre against the King, Queene &c. in this Realme: Or to bee adherent to his enemies, ayding them in his Realme, or elsewhere: Or to counterfeit the Kings great Seale, his priue Seale, or his money: Or to bring false money into this Realme, counterfeit like vnto the money of England, knowing the money to bee false, and to make Merchandize, or payment therewith: Or to sea the Kings Chancello, Treasurour, Justice of the one Bench or other, Justice in Eyre, Justice of Assise, or anie Justice assigned to heare and determine, being in his place doing his office: Which foresaid Treasons doe extend to the King, and his royall Maiestie. And the King shall haue the forfeiture of the estate of them, as well of lands and tenements holden of others, as of himselfe. 25. Edw. 3. 2.

2 If anie person doe falsely forge or counterfeit the Queenes signe manuell, priue Signet, or priue Seale: Or doe falsely forge or counterfeit anie Coine of Gold or Silver which is not the proper coine of this Realme, and is or shall bee currant within this Realme, by the consent of the Queene, her heires or successors, it is high Treason, and the offenders therein, their counsellors, aydoers, procurors, and abettors, being conuict according to the Law, shall be adiudged Traytors. 1. M. 6.

3 Whosoever doth bring into this Realme, or anie the Dominions thereof, from any parts beyond the Sea, anie false and counterfeit coine or money like to the coine of other Realmes, being by the Queenes permission currant in payment within this Realme, knowing the same to be false and counterfeit, to the intent to utter or make payment therewith within this Realme &c. by merchandizing, or otherwise, he, his counsellors, procurors, aydoers, and abettors, doe commit high treason. 1. & 2. P. & M. 11.

4 If any person or persons shall falsely forge or counterfeit any kinde of gold or silver, as is not the proper coine of this Realme, nor permitted to bee currant in this Realme, it is misprision of high treason, and the offenders therein, their procurors, aydoers, and abettors, being conuict &c. shall be imprisoned, and forfeit such lands, goods, and cattels, as in cases of misprision of treason, for concealement of high treason. 14. Eliz. 3.

5 The clipping, washing, rounding, or splying for gaines sake of anie money or coine, which now is, or hereafter shall be the coine of this Realme, or the Dominions thereof, or of any other Realme &c. allowed and suffered to bee currant within this Realme, by the Queene, her heires or successors, is treason: And the offenders, their counsellors, consentors, and aydoers, shall be adiudged as offenders in treason. But the attainder in this Treason maketh no corruption of blood in the heire, or forfeiture of dower in his wife. 5. Eliz. 1.

6 If anie person for wicked lucre sake, doe by any Act, wayes, or meanes whatsoever, impair, diminish, falsifie, skale, or lighten the proper monyes or coines of this Realme, or anie the Dominions thereof, or the monyes &c. of anie other Realme allowed at the time of the offence committed to be currant within England, or any Dominions thereof, by the Proclamation of the Queene, her heires or successors, he, his counsellors, aydoers, and consentors shall be adiudged offenders in treason, and being thereof conuicted or attainted, according to the lawes, shall suffer death, and lose and forfeit all his goods and cattels to the Queene, and his lands, &c. during

Compassing the death.

Clipping war and ayding of the Kings enemies.
Counterfeiting the great or priue Seale.
Bringing in of counterfeit money.
Killing a Judge sitting in his place.

Forging the signe manuell, priue signet, or Seale.
Forging the mony of other realmes currant in this.

Bringing in of counterfeit money.

Forging of money, which neither is the mony, nor currant within this Realme.

Clipping, washing, rounding, or splying of money.

Diminishing, skaling, or lightening of money.

Treason.

during his life onely. But the attainder for his offence, maketh no corruption of blood, nor the wife to lose her dower. 18. Eliz. 1.

Petit treason.

7 It is petit Treason when a servant killeth his Master, a woman killeth her husband, or when a secular or religious man killeth his Prelate, to whom he oweth obedience. And this manner of treason both giue the forf. of the escheates to every Lord of his owne proper fee. 25. Ed. 3. 2.

Misprision of Treason.

8 Concealment or keeping secret of any high Treason, shall be deemed and taken only misprision of Treason, and the offenders therein shall forfeit and suffer as in case of misprision of Treason hath heretofore bene used. 5. Ed. 6. 11. 1. & 2. P. & M. 18. 1. Eliz. 6.

Trial of treason & murders by special Commission.

9 If any person being examined before the Kings Councell, or thre of them, upon any Treasons, misprisions of Treasons, or murders, doe confesse anie such offences, or that the said Councell, or thre of them, upon such examination, shall thinke anie person so examined to bee vehemently suspected of any such offences: Then the Kings Commission of Oyer and Terminer vnder the great seale shall be made to such persons, and into such shires or places, as shall be appointed by his Highnesse for the speedie triall, conuiction, or deliuerance of such offenders, which Commissioners shall haue authoritie to enquire, heare, and determine all such treasons, misprisions of treasons, and murders, within the shire and places limited by their Commission, by such good and lawfull persons, as shall be returned before them by the Sherife, his minister, or other, hauing power to returne writs and proses for that purpose, in whatsoeuer other shire or place within the Kings Dominions, or without, such offences were committed. 33. H. 8. 23. What challenges the offender in this case shall haue. S. Challenge 8. S. Dyer 286. that for Treason this Statute is repealed by 1. & 2. P. M. 10.

Trial of treasons committed out of the Realme.

10 All offences being made or declared to be made &c. treasons, misprisions of treasons, or concealments of Treasons, and done or committed by any person out of this Realme of England, shall be enquired of, heard, and determined before the Justices of the B. Bench, by good and lawfull men of the same shire where the said Bench shall sit and be kept, or else before such Commissioners, and in such shire of the Realme, as shall be assigned by the B. Commission, and by good and lawfull men of the same shire, in like manner, to all intents, as if such offences had bin committed within the same shire where they shall be so inquired of, heard, and determined. 26. H. 8. 13. 35. H. 8. 2. 5. Ed. 6. 11. S. Dyer 287. 298. That the statute of 35. H. 8. remaineth in force not repealed.

Outlawrie of an offender being out of the Realme.

11 All proses of outlawrie to be made within this Realme, against any offenders in Treason, being resistant out of this Realme, or beyond the Sea, at the time of the outlawrie pronounced against them, shall be as good and effectuell in the law to all intents, as if any such offenders had been resistant within this realme at the time of such proses awarded, and outlawrie pronounced. But if the partie so outlawed, shall within one yeare next after the said outlawrie pronounced, or iudgement giuen thereupon, yeelde himselfe vnto the chiefe Justice of England for the time being, and offer to traaverse the said indictment, or appeale, whereupon the said outlawrie shall be pronounced, then he shall be receiued to the said traaverse, and being thereupon found not guiltie by the verdict of xij. men, he shall be cleerly discharged of the said outlawrie, and of all penalties and forfeitures, by reason of the same, in as ample manner, as though no such outlawrie had bin made. 26. H. 8. 13. 5. Ed. 6. 11.

Trial of treasons committed, where the Kings writ runneth not.

12 All such treasons and misprisions of treasons, which any person shall commit within the principalitie of Wales, and Marches of the same, or elsewhere, within any the Kings Dominions, where his originall writs in the Chauncerie of England commonly run not, shall be presented and tried by the oath of xij. men, which

which shall inhabit within any such shires, and before such Commissioners, as the King from time to time in such cases shall assigne by his commission or commissions of Oyer and Terminer, in like manner, as if such offences had bene committed within the said shires, into the which the said commissions shall be directed. And all presentments, trials, p[ro]ces, iudgements, executions, and forfeitures, made, had, or done by vertue of such commissions, shall be good and effectuell in the law, to all purposes &c. 32. H. 8. 4.

13 All trials to be had, awarded, or made for any Treason, shall be had and vsed onely, according to the due order and course of the common lawes of this Realme, and not otherwise. 1. & 2. Ph. & M. 10. Quere if this do take away, or diminish the force of any of the other Branches, viz. 9, 10, 11, 12.

14 If any person or persons shall be attainted of high Treason by the course of the common Lawes, or Statutes of this Realme, in euery such case euery such attainer by the common Law, shall be of as good strength, value, force, and effect, as if it had bin done by authoritie of Parliament. And the King, his heires and successors, shall haue as much aduantage by such attainder, as well of vses, rights, entries, conditions, and possession, reuerfions, remainders, and all other things, as if it had bene done and declared by authoritie of Parliament, and shall be deemed, and adiudged in actual and reall possession of the lands, tenements, hereditaments, vses, goods, chattels, and all other things of the offenders so attainted, which his Highnesse ought lawfully to haue, & which they so being attainted, ought or might lawfully lose and forfeit, if the attainder had bin done by authoritie of Parliament, without any office or Inquisition to be found of the same: any Law, Statute &c. notwithstanding. Sauing to all and euery person & persons, & bodies politike, and their heires, assignes, and successors, and euery of them (other then such person and persons, which shall be attainted of high Treason, and their heires and assignes, and euery of them, and all and euery other person and persons, clayming by them, or any of them, or to their vses, or to the vses of any of them, after the said treasons committed) all such right, title, vse, possession, entrie, reuerfions, remainders, interests, conditions, fees, offices, rents, annuities, commons, leases, and all other commodities, profits, and hereditaments, whatsoeuer they, or any of them, should, might, or ought to haue had, if this Act had neuer bene made. 33. H. 8. 20.

15 No record of attainder that now is, of any person or persons, of, or for anie high Treason, where the partie so attainted, is, or hath bene executed for the same Treason, shall by the heire or heires of any such person, or by any other whatsoever, clayming in, from, by, or vnder any such heire or heires, be in anie wise hereafter reuerfed, vndone, auoided, or impeached by any plea, or for any error whatsoever. But this Act shall not extend to any Record of attainder, of, or for any Treason, vpon which any writ of Error is now depending, or which Record is already reuerfed, repealed, or vndone, by, or for any error, matter, plea, or cause whatsoever, but the same shall be and remaine as vnto, and against that partie, at whose suit the same writ of Error is depending, or at whose pursuit the same Record hath bene reuerfed, repealed, or vndone, and his and their heires and assignes onely, as if this Act had neuer bene had or made: Any thing in this Act &c. 29. El. 2.

1 Treason for the second refusal of the Oath for the Queenes supream gouernment ouer all estates. S. Crowne &c. 8.

2 Treason in maintayning or extolling the authoritie of the Bishop, or See of Rome. S. Rome 1.

3 Treason in obtaining any Bull or Instrument from Rome, or in giuing or taking Absolution thereby. S. Rome 2. Præmunire 5.

4 For the forfeitures in high Treason. S. Forfeiture 2.

5 That

Trial of
Treason.
Quere.

Attainder of
Treason by
the Common
Law, of as
great strength
as by Parlia-
ment.

No Record
of attainder of
Treason re-
uerfed, where
the partie at-
tainted is ex-
ecuted for the
same.

where the re-
cord is reuer-
fed, or therup-
on a writ of Er-
ror depending

Trespas.

5 That peremptorie challenge is not allowable in cases of high Treason, and Misprision. S. Challenge 10.11.

6 Misprision of high Treason in concealing of a Bull, or other Instrument from Rome, or absolution offered. S. Rome 4.

7 Treason for perswading, or reconciling, or being reconciled to the Romish Religion. S. Rome 7.8. Recusants 49.

8 Treason for a Iesuit, or Priest, &c. to come into, or remaine in any of the Qu. Dominions. S. Iesuits 2.

9 Treason by remaining in a Seminarie, and not returning after Proclamation, and taking the Oath. S. Iesuits 4.

10 Assurances made by Traitors shall be recorded in the Exchequer. S. 18. Eliz. 4. 29. Eliz. 3

Trespas.

The punishment for small offences.

All and euerie such lewd person and persons which shall cut, or unlawfully take away any Cozne, or Chaine growing, or rob any Orchard, or gardens, or breake, or cut any hedge, pales, railes, or fence: Or dig, pull up, or take up any fruit tree or trees in any Orchard, Garden, or elsewhere, to the intent to take and carrie the same away, or shall cut, or spoile any Woods, or Underwoods, Wholes, or Trees standing, not being felonie by the lawes of this Realme, and their procurer, or procurers, receiver or receivers, knowing the same, being thereof lawfully convicted by the confession of the partie, or by the testimonie of one sufficient witnesse, upon Oath befoze some one Justice of Peace, Mayor, Bayliffe, or other head Officers (which shall haue power by force of this Statute, to minister the said Oath where the offence shall be committed, or the partie offending apprehended) shall giue the partie and parties such recompence and satisfaction for his and their damages, and within such time, as by any one such Justice of Peace of the said countie where such offence shall be done, without the Libertie of anie citie, or towne corporate, or by such Officer, or Justice of Peace, within any citie, or towne corporate, shall be ordered and appointed. And the same to bee onely for the first fault. And if such offendor or offendors shall be thought in the discretion of the said Justice, or Justices, or other head Officers, not able or sufficient, or doe not make recompence or satisfaction for the said damages, in manner and forme aforesaid: Then the said Justice or head Officer shall commit all and euerie the said offendor or offendors to some Constable or Constables, or other inferiour Officers of the Citie, Borough, Towne, or Hamlet where the offence shall be committed, or the partie apprehended, to be whipped, and for euery such offence, for, or of which the offendor or offendors shall be estsoones committed in some sfoze limited, the person and persons so offending, to receiue the said punishment of whipping. 43. Eliz. 7.

A Constable refusing to punish an offendor.

2 If anie Constable, or inferiour Officer, doe refuse, or doe not at the commandement of anie Just. of Peace, or other head Officer, execute by himselfe, or some other, to be by him appointed, upon the offendor, the punishment limited by this Statute: In that case it shall and may be lawful for the said Just. of Peace to commit the Constable, or other inferiour Officer so refusing, or not executing the said punishment by himselfe, or some other, to the Gaole of the countie, citie, or towne corporate, there to remaine without baile or maineprie, vntill the said offendor or offendors be by the said Constable or Constables so refusing, or not executing, or by some other by his or their procurement, punished and whipped, as is befoze limited. 43. Eliz. 7.

3 No Justice of Peace, or other head Officer, shall execute this Statute, for any of the offences aforesaid, done to himselfe, unless he be associated and assisted with one, or more other Justices of Peace, whom the offence doth not concerne. 43. Eliz. 7.

Triall.

Where any person shall be feloniously stricken or poisoned in one countie, and die of the same stroke or poisoning in any other countie, then an Indictment thereof found by Jurors of the countie where the death shall happen, (whether it be found before the Coroner, upon the sight of such dead bodie, or before the Justices of Peace, or other Justices or Commissioners, which shall have authoritie to enquire of such offences) shall be as good in law, as if the stroke or poisoning had been committed in the same countie, where the party shall die, or where such Indictment shall be so found. And the Justices of Gaole delivrie, & Dyer and Terminer in the same countie where such Indictment shall be taken, and also the Justices of the B. Bench after such Indictment shall be removed before them, shall and may proceed upon the same in all points, as they should or ought to do, in case such felonious stroke or poisoning, & death thereof ensuing, had growne all in one same countie. And such partie to whom Appeale of Murder shall be given by the Law, may commence, take, and sue appeale of Murder in the same countie where the partie so feloniously stricken, or poisoned, shall die, as well against the principal and principals, as against every accessary to the same offences, in whatsoever countie or place the accessarie shall be guilty to the same. And the Justices before whom any such appeale shall be commenced, sued, & taken, within the yere and day after such Murder & manslaughter committed, shall proceed against every such accessarie in the same countie where such appeale shall be so taken, in like manner & forme, as if the same offence of accessarie had been committed in the same countie where such appeale shall be so taken, as well concerning the trial of the Jurors of the countie where such appeale shall be taken, upon the plea of not guilty pleaded by such offender, as otherwise. An 2. Ed. 6. 24.

Triall where the striking or poisoning is in one countie, and death in another.

Appeale of Murder in the countie where the death ensueth.

Appeale against the accessarie.

2 Where any Murder or Felonie shall be committed in one countie, & another person, or more shall be accessarie to the same in any other countie, then an Indictment found or taken against such accessarie, and accessaries, upon the circumstance of such matter (before the Justices of the Peace, or other Justices, or Commissioners, to enquire of Felonies in the countie where such offences of accessarie shall be committed) shall be as good in the Law, as if the said principall offence had been committed within the same countie, where the same Indictment against such accessarie shall be found. And the Justices of Gaole delivrie, or Dyer & terminer, or two of them, of, or in such countie, where the offence of any such accessarie shall be committed or done (upon suit to them made) shall write to the Custos Rotulorum, or keepers of the Records, where such principall shall be attainted, or convicted, to certifie them, whether such principall bee attainted, or convicted, or otherwise discharged of such principall Felonie, who upon such writing shall make sufficient certifiat in writing under their seale or seales to the said Justices, whether such principall be attainted, convicted, or otherwise discharged, or not. And after that they do certifie, that such principall is attainted, convicted, or otherwise discharged of such offence: Then the said Justices &c. shall proceed upon every such accessarie, in the countie where he became accessarie, in such manner and forme, as if both the said principall offence and accessarie had been committed in the said countie where the offence of accessarie was committed, and every such accessarie, and other offenders, above expressed, shall answers upon their arraignments, and receive such

Triall of an accessarie in one countie, to an offence done in another.

Triall.

triall, indgement, order, & execution, and suffer such forfeitures, as is used in other cases of felonie. An 2. Ed. 6. 24.

**Trial of for-
reine pleas.**

3 All forreine pleas triable by the Countie, pleaded by any person arraigned upon any Indictment, for any Petit Treason, Felonie, or Murder, shall be forthwith tried by the same Justices before whom such person shall be arraigned, and by the same Jurors of the same countie, that shall trie the Petit Treason, Murder, or Felonie, whereof he shall bee so arraigned, without any further respect or delay, in whatsoever county or place of this realme the matter of the same pleas be supposed or alleadged. 22. H. 8. 14. 32. H. 8. 3.

**Trial of
Murders &c.
done within
the K. palace.**

4 All Treasons, Mispzisions of Treasons, Murders, Manslaughters, Bloudsheds, and other malicious strikings, by reason whereof bloud shall be shed against the K. Peace, which shall be done within any the Palaces or Houses of the King, or his heires, or within any other house or houses, at such time as his Maestie shall be then abiding in his royall person, shall be inquired of, tried, heard, & determined within any of the Kings houses, or other house, where his maestie shall be abiding, before the Lord Steward of the Kings household, and in his absence before the Treasurer and Comptroller of the Kings household, and Steward of the Marshalsey, for the time being, or two of them, whereof the Steward of the Marshalsey to be one, by vertue of their Offices, without any Commission, or other authoritie to them given. And whether the King shall bee removed from the house where such offences shall be done, or not, before they be inquired of, heard, and determined, yet such offences shall be inquired of, tried, heard, and determined before the Kings Officers of household, before named, or two of them, by the inquisition and verdict of his household servants in his Checke Roll, at such place or house where his maestie shall bee at any time abiding. 33. H. 8. 12. For the limits of the kings palace. S. Fighting 1.

**Inquire of
bloudsheds by
the yeomen
officers.**

5 The two Clerkes Controulers, Clerks of the Checke, and Clerke Marshals for the time being, of the Kings household, or one of them, upon a precept to them, or any of them made, by the Lord Steward, or in his absence by the said Treasurer and Controulers of the Kings household, and the said Steward of the Marshalsey, or by two of them, whereof the said Steward of the Marshalsey to be one, have power to summon, warne, and returne the names of xxiiij. persons, being yeomen Officers of the Kings said household in the said Checke Roll, to inquire of such Treasons, mispzisions of Treasons, Murders, Manslaughters, and other malicious striking, by reason whereof bloud shall be shed against the kings peace, before the said Lord Steward, or ec. Treasurer, Controulers, and Steward of the Marshalsey, or before two of them ec. And it shall be lawfull to them before whom such returns shall be made, to cause such number of the said xxiiij. persons to be returned above the number of xij. persons, as to him or them shall seeme expedient, to inquire of such Treasons, mispzision of Treasons, Murders, Manslaughters, or other malicious strikings, by reason whereof bloud shall be shed against the K. peace, within the said palaces, or other the said houses, at any time committed ec. 33. H. 8. 12.

**Arraignment
of an offender
indicted.**

6 And if any person or persons bee indicted by the said Jury, or by inquisition before the Cozoner of the said household, & certified before the said Lord Steward ec. or Treasurer, Controulers, and Steward of the Marshalsey, or two of them, whereof the said Steward of the Marshalsey to be one, then immediately the said Lord Steward, or ec. Treasurer, Controulers, and Steward of the Marshalsey, or two of them ec. before whom the said Presentment, Inquisition, or Indictment shall be so found or certified by the said Cozoner, shall arraigne before them every such person so indicted, according to the course of the common Law, and forthwith after issue joined betweene the King and the prisoner so arraigned, the same day,
and

and place, or any other shall make another Precept to the said Clerkes Controulers, Clerks of the Checke, and Clerks Parthals of the said household, or to one of them to summon and returne one Jurie of xliij. persons to appeare before the said Lord Steward, or ec. Treasurer, Controuler, & Steward of the Parthalsey, or two of them ec. at such day, time, and place, and vpon such paine as shal be then limited, of the Sergeants and Gentlemen officers of the Kings Chamber, and of the said household, which shall take wages by the Kings Checke Roll. And the said Lord Steward, or ec. Treasurer, Controuler, and Steward of the said Parthalsey, or two of them ec. before whom such Jury shalbe so returned, shall cause xij. of the same Jurie to be swozne, truly to trie between the Is. and such person as shal be so indicted & arraigned of such Treasons, misprisions of Treasons, Murders, Manslaughters, & other malicious Strikings, by reason wherof blood shalbe shed against the Is. peace, or any of them. 33. H. 8. 12. What challenge he which is in this sort arraigned, shall haue. S. Challenge 9.

7 If such person so indicted & arraigned, be found guiltie of any Treason, misprision of Treason, Murders, or Manslaughters, then he shall haue iudgement of life and member, and suffer such paines of death, and shall forfeit ec. in like manner, as if he had been found guiltie of any of the said offences by the order of the common Lawes. 33. H. 8. 12. How he shalbe punished, which striketh maliciously within the Is. palace, wherby blood shalbe shed. S. Fighting 1.

8 If any of the Lords of the Parliament, or Peere of this Realme, shall bee indicted of any offence made Treason by this Act made 5. El. 11. against the clipping, washing, rounding, or filing of Coyne, Then they, and euerie of them shall haue his or their triall by their Peeres, as hath been bled in cases of high Treason. And so shall any Peere of this Realme, which shalbe indicted of any offence made Treason by the Statute of 18. Eliz. 1. prouided against the diminishing and impairing of the Quenes Coyne, and other Coynes lawfully currant within this Realme. And so shall any Peere that shall offend contrary to the Act prouided Ann 5. Eliz. 1. for the assurance of the Quens royall power over all States and Subiects, or any bzaunch or article thereof. And so shall any Peere being indicted of any of the offences prohibited by the Statute made 13. Eliz. 1. against the bzinging in of Wuls ec. from Rome. And so shall any Peere which shall be indicted of any offence made Treason or misprision of Treason, by the Statute prouided 23. Eliz. 1. to retaine the Quenes Subiects in due obedience. And so shall any Peere which shall be indicted of any offence made Treason, Felony, or Piramurie, by the Statute prouided 27. El. 2. against Jesuits, Seminary Priests ec. And Ladies of great estate, viz. Duchesses, Countesses, or Barronelles, which shalbe indicted of any Treason or Felony by them done, whether they be married, or sole, shalbe brought to their answer, and put to answer, and iudged before such Judges and Peeres of the realme, as Peers of the realm should be, if they were indicted or impeached of such Treasons or Felonies committed, and in like manner and forme, and none otherwise. 20. H. 6. 9.

9 If a Release or other deed be pleaded in bar in Assise, or other ples of land, or in any action grounded vpon a contract, covenant, or trespass, being dated within any franchise where the Is. writt runneth not, it shalbe tried in the county where the action is brought, and if witnes be in the deed, proces shalbe made into the same county, and if the witnes do not come at the graund distres returned, the Justices shal take the Enquest, as well as if the deed had boyn date in the same county where the suit was moued, and that the witnesses had bin of the same countie. 9. E. 3. 4. S. Witnesse 2.

10 All offences of Coniurations, Witchcraft, and dealing with euill and wicked Spirits, Murder, Manslaughter, felonious burning of houses, and Coyne, Burglarie, land:

The punishment of the party attained.

Triall of Peeres.
S. Treason;

Treason 6.

Rome 1.

Rome 2.

Rome 7. 8.

Jesuits 2. 4.
The order of the triall of Ladies.

Triall of a deed, where the Is. writt runneth not.

Triall of felonies committed by English men in Scotland.

Triall.

glarie, robbing of houses by day, robberie, theft, the detestable vice of Buggerie committed with Mankind, or beast, and Rape, heretofore done and committed since his maiesties comming to the Crowne of England, or hereafter to be done or committed, by any of his Maiesties naturall bozne Subjects of this realme of England, or the Dominions of the same within the Realme of Scotland, or the Dominions thereof, and the Accessories, of, and to the same, shall be from henceforth inquired of, heard and determined before his Maiesties Justices of Assise, or his Commissioners of Oyer & terminer, or Gaole delinerie, being natural bozn subjects within this Realme of England, and none other, by good and lawfull men of the counties of Cumberland, Northumberland, Westmerland, or any of the said counties at the election of the said Justices of Assises, or commissioners in like manner and forme to all intents and purposes (the alterations hereafter in this act expresse, onely excepted) as if such offences had been done & committed within the same Shire, where they shall be so inquired of, heard, & determined, as is aforesaid. At which trials for the better recovery of the truth, and for the beter information of the consciences of the Jurie and Justices, there shall be allowed unto the party so arraigned, the benefit of such witnesses onely to bee examined upon oath, that can be produced for his better clearing and iustificacion, as hereafter in this act are permitted and allowed. 4. Lac. 1. If at any time or times after the end of this present Session of Parliament, any person or persons shall commit any offence or offences within the Realme of Scotland, which by the Lawes of this Realme of England is, are, or shall be declared or adiudged to bee pettie Treason, Murder, Manslaughter, felonious burning of houses & cozne, Burglarie, Robbing of houses by day, Robberie, Theft or Rape, and do or shall fly or escape into the realme of England, and be or shall bee apprehended within any the Counties of Northumberland, Cumberland, Westmerland, or any parts or members of the same, or within the parts or places lying on the North side of the River of Tyne, commonly called or knowne by the names of Bedlington Shire, Northam Shire and Tindale Shire, the towne and countie of Newcastle upon Tyne, and the Towne of Warwick upon Tweede, with the bounds and liberties thereof, that then it shall and may bee lawfull to and for the Justices of Assise, or any one of them in the absence of the other, the Justices of Gaole Deliuery at their Gaole deliuery, or any foure of them, or the Justices of Peace in their generall or quarter Sessions, or any foure of them upon mature and due Examination of the said offence or offences in open Sessions, and pregnant proofes of the same by warrant vnder their hands and seales, to remaund and send all and euerie such offendour and offendours into the Realme of Scotland, there to receiue their triall for any the offences aforesaid by them there committed: Any thing in the said Statute contained to the contrarie thereof notwithstanding. Provided neuerthelesse, that this Statute nor any clause therein contained, shall take effect or bee in force, or in any wise be deemed or expounded to take effect, to any intent, construction, or purpose vntill a law by act of Parliament bee made and established within the Realme of Scotland, for the remaunding & sending out of the Realme of Scotland into the Realme of England all and euerie person and persons bozne within the Realme of Scotland, or the dominions of the same, which shall at any time hereafter commit any the offences aforesaid within the Realme of England, to receiue his and their triall within the Realme of England, for all and euerie the said offences by them committed in the said Realme of England, 7. Lac. 1. To continue to the end of the first session of the next parliament.

Witnesses allowed to him that is arraigned.

An Englishman committing felonie in Scotland may be sent thither to be tried.

A like act is to be made in Scotland.

The prosecutors and witnesses bound to give evidence.

II Every Justice of Peace of the counties aforesaid, unto whom complaint shall be made, shall haue full power and authorizty by vertue of this act to bind ouer by Recognizance in a convenient summe taken to his Maiesties vse, as well the partie

partie prosecuting, as any witnesses, which he shall desire to produce (so as the said witnesses may have their reasonable charges first tendered unto them) to prosecute and give in evidence before such his Maiesties Justices as aforesaid, as the case shall require. 4. Jac. 1.

12 Everie Commaunder, procurer, counsellor, abbetter, comforter, receiver, or other accessarie, of, or to any the offenders or offences aforesaid, so committed in Scotland, as is aforesaid, offending within the Realme of England or Scotland, shall be produced, with all Indicted, tried, iudged, and executed without delay, notwithstanding the Principals, or any of them bee not convicted, or attainted. And that no such offender, either accessarie or principall shall be allowed the benefit of his clergie, nor admitted to his peremptorie challenge of above the number of five. And that everie Indictment of any of the offences aforesaid so committed as aforesaid, shall be adjudged of as good force in law, notwithstanding the words (Contra Pacem, Coronam, & dignitatem nostras) be omitted, as if the said words had bene therein contained. 4. Jac. 1.

The accessary tried though the principall be not.

No Clergie.

No peremptorie challenge above five. The words of the Indictment

13 No Sheriffe, Undersheriffe, or other Minister, to whom it appertaineth, shall returne any Juroz to inquire of, or trie any of the offences aforesaid, so committed as aforesaid, except every such Juroz shall have freehold in possession, to the value of 10. l. by the yeare in the county, where such inquirie and triall shall be, upon paine to forfeit. for every Juroz that shall be returned contrary to this act the summe of 10. l. to the B. and J. to be rec. by A. of debt, B. P. or J. in any of the B. Courts at Westminster, wherein no C. P. or W. And the offender, shall and may challenge any Juroz that shall passe upon his life, for want of such freehold, as aforesaid. 4. Jac. 1.

Every Juroz must have b. l. of freehold.

14 No naturall subject of his Maiestie of the realm of England, or of the dominions of the same, shall for any the offences aforesaid committed within the realme of Scotland, or for being accessary to the same, forfeit any lands, tenements, or hereditaments, either free, copy, or customary hold, neither shall the blood of such offender be corrupted, nor the wife lose her dower: yet neuertheles the said offenders shall forfeit to his maiesty his heires & successors, their goods, chattels, and credits whatsoever. 4. Jac. 1.

The offender shall forfeit no land.

15 And forasmuch as it is intended, that an Act like unto this shall be ordained in the Realme of Scotland, for the triall and punishment of offenders, being his Maiesties naturall bozne Subjects of the same Realme, which shall commit any of the offences aforesaid within the Realme of England, or the Dominions thereof, and shall after escape, or returne backe into Scotland. Therfore be it enacted &c. That upon complaint made by any of his Maiesties Subjects of the Realme of England, to any of the Justices of Assise, Commissioners of Oyer and Terminer, or Gaole delivierer, or Justices of the Peace, within the precincts of their severall Commissions respectiue, being naturall bozne Subjects within the Realme of England, concerning any such offence committed by any his Subjects of the realme of Scotland, within the realme of England, in case where the offender is returned into the Realm of Scotland, as aforesaid, the said Justice or Commissioner shall have full power & authority, to bind over as well the said partie complaining or prosecuting, as any witnesses that he shall desire to produce (so as their reasonable charges be first tendered unto them) by Recognisance in a convenient summe to his Maiesties use, to prosecute and give in evidence within the Realme of Scotland, wherein if default shall be made, and the same proved by certificat or otherwise before the Lord Treasurer, Chauncelour, and Barons of the Exchequer, or any of them in the Exchequer Chamber, and a Decree there made, that the same Recognisance shall stand forfeited. Then the Court of Exchequer shall thereupon proceed for the leuying of the Debt of the said Recognisance, as if it were adjudged.

A like Act made in Scotland.

Binding the complainant or witness to give evidence in Scotland.

Triall.

ged forfeited by the course of the common law. 4. Iac. 1.

Scottish men
repairing into
England to
give evidence
shalbe free fro
arresting.

16 On the other part, every of his maiesties subiects of the realme of Scotland, either party grieved, or witnes, which shal prosecute in any cases aforesaid, within the realme of England, and thereby shal have occasion to make his repaire hither, either voluntary, or by the like bond (as is before expressed, on the part of the realm of England) shall have & enjoy Priviledge and immunity from all manner of Arrest, concerning all offences, or other causes, aswel capital, as others, committed, done, or occasioned, before he shall so come into England, as aforesaid (except Treason, or wilfull Murder) so long as he or they shalbe necessarily going, coming, or abiding, within the said Realme of England, for the prosecution of the said offences. 4. Iac. 1.

The offence
shalbe layd
where it is
done.

17 Provided neuertheless, that every such offence so committed, as aforesaid, shall be laid and alledged in the Indictment or other declaration, to be done & committed in the realm of Scotland, according to the truth of the fact, and not in the counties, where the triall is limited, to be had & made, as aforesaid: Any thing in this act formerly contained, to the contrary notwithstanding. 4. Iac. 1.

He that is
once tried shal
not be effrones
called in ques-
tion.

18 Provided, that if any his Maiesties subiects of the realme of Scotland, shal be proceeded with and tried in the realme of Scotland, upon the prosecution of any party grieved, and upon evidence in open court for any offence done or committed within the realme of England, that no such person shal be effrones called in question, or proceeded with for the same fact within the realme of England, But that it shall be lawfull for every such person, to plead & alledge for himselfe upon his arraignment, that hee was formerly lawfully acquitted, convicted, or attainted of the same offence within the realme of Scotland, And that thereupon all further proceeding shal stay, untill the court have sufficiently informed themselves by certificate from the realme of Scotland, or by any other good waies, & means of the truth of the said allegations, which if they shall find true, the said person shall be forthwith discharged of all further impeachment or proceeding. 4. Iac. 1.

None shalbe
set out of Eng
to receive his
triall.

19 No naturall borne subiect of the Realme of England, or the dominions of the same, shal for any high treason, misprision, or concealment of high treason, petty treason, or any other whatsoever offence or cause committed within Scotland, be sent out of England, where he is apprehended, to receive his triall, untill such time as both realmes shalbe made one in Laws and Government.

The Jurors
shal allow of,
or reject the
witnesses.

20 At all such trials, the Jurors then and there sworn, or the greater part of them (who in respect of the great trust and charge which must now be laid upon them, are by vertue of this act as before appeareth, to be persons of better condition and quality than the Law required heretofore for Jurors in trials of like offences) shall have in their power and election according to their conscience and discretion upon their oaths, to receive and admit only such sufficient, good, and lawfull witnesses upon their oaths, either for, or against the party arraigned, as shal not appeare to them, or the greater part of them to be unfit & unworthy to be witnesses in that case, either in regard of their hatred & malice, or their favour and affection, either to the party prosecuting, or to the party arraigned, or of their former evil life and conversation. 4. Iac. 1.

Trial by
Peers.

21 Provided, that if the offender in any the cases aforesaid, shalbe a Peere of the realme, then his trial therein shalbe by his Peers, as is used in cases of felony or treason, and not otherwise. 4. Iac. 1.

1 For the triall of Treasons, misprision of treason, and murders, by speciall commission. S. Treason 9. Piracie 1.

2 For the triall of treasons committed out of the realme. S. Treason 10.

3 For the triall of treasons committed in Wales, & where the K. writt runneth not. S. Treason 12.

4 That

- 4 That trials of Treason shall be according to the course of the Common lawes. S. Treason 13.
- 5 Who shall be admitted to passe in triall of Felonies and Treasons in corporate Townes. S. Iurors 15.
- 6 Where trials shall be *De modestate Lingua*, and where not. See Iurors 29. 30. Attaint 21.
- 7 For the triall of him which imbesileth a Record. S. Felonie 18.
- 8 By whom bastardie alleaged in him that is borne beyond the Sea, shall be tried. S. Abilitie 2.
- 9 For the punishment of a felon which refuseth lawfull triall. S. Felonie 42.
- 10 For the triall of offences done vpon the maine Seas. S. Piracie 1. 2. 4.
- 11 For the triall before the Sherifes, or in Court Barons, or in corporat townes in Wales. S. Wales 42. 55.
- 12 The triall of the arriual, discharging, and deliuerie of brasse and other mettals, into any part beyond the Sea. S. Brasse &c. 2.

Turnes of Sherifes.

ND Sherife no; his Bayliffe, shall hold his Turne but in the due and accustomed place, and but twice in the yeare, that is, once within a moneth after Easter, and another time within a moneth after Michaelmas. (And if he doe hold his turne in other manner, he shall lose his Turne for that time. 31. E. 3. 14.) And the view of frankpledge, shall be at the feast of S. Michael without any stay, so that euerie man may haue his liberties. And the view of frankpledge shall be so vsed, as that the R. peace may be preserved, and that the Wything may be kept whole, as it had wont to be. And the Sherife shall seeke no occasion, but be content with that which the Sherife had wont to haue at his Late, in the time of R. H. 2. Mag. Chart. 9. H. 3. 36.

At what time the Sherife may hold his Turne.

2 Archbishops, Bishops, Carles, Barons, and women, need not to come to the Sherifes turnes, except their presence for any cause be specially required. And they which haue land in diuers Hundreds, need not to come to such turnes, but in the Bayliwike where they be conuersant. Marlb. 52. H. 3. 10.

Persons exempted.

3 Sherifes in their turnes may enquire and determine euery default and offence of Hostlers, making hoisebzead (not of sufficient, lawfull, and due assise, according to the price of cozne) committed within the limits of their Jurisdictions. 32. H. 8. 41. S. Inholders 2.

Hoisebzead.

4 And also they may there inquire of attachments made by the Officers of the Courts of the East Marches, or West Marches, out of anie of the counties of Westmerland, Cumberland, or Northumberland, or the towne of Newcastle vpon Tyne, and therein proceed, as they may vpon presentments taken befoze them in their turnes of trespasses, or affrayes made against the Kings peace. 31. H. 6. 3. See Marches 1.

Attachment in the Marches.

5 And also they may there inquire by the oathes of xij. lawfull men, of all offences committed contrarie to the statute provided 7. Ed. 6. To auoid the prices and excesses of wines, and euerie presentment taken by the oathes of xij. men, shall be of such force, as if the same were taken in the R. Bench. 7. E. 6. 5.

Wines.

1 What Iurors shall be returned in a Sherifes Turne. S. Iurors 14.

2 That an indictor in the Sherifes Turne, which is sued in a spirituall Court, shall haue a Prohibition. S. Prohibition 7.

3 At what time Sherifes in Wales shall keepe their Turnes, who shall haue the Fines, Issues, and Amerciaments, there forfeited, and who shall assesse them. See Wales 43.

Vagabonds.

Vagabonds, Rogues, &c.

Vagabonds, Rogues, &c.

The Just of
shall set
downe orders
for the erectio
and mainte-
nance of hou-
ses of corre-
ction.

I Shall and may be lawfull to and for the Justices of Peace of anie countie or citie in this Realme, or the Dominions of Wales, assembled at anie quarter Sessions of the Peace within the same Countie, Citie, Borough, or Towne corporate, or the moze part of them, to set downe order, to erect, and cause to be erected one or moze houses of correction within their severall counties, or cities: for the doing and performing whereof, and for the providing of stockes of money, and all other things necessarie for the same, and the raising and governing of the same, and for correction and punishment of offenders thither to be committed, such orders as the same Justices or the moze part of them, shall from time to time take, reforme, or set downe in any their said quarter Sessions in that behalfe, shall be of force, and be duly performed and put in execution. 39. Eliz. 4. Just. of peace. 73.

Who shall be
adjudged
Rogues, Va-
gabonds and
Rurdie beg-
gers.

2 All persons calling themselves Schollers, going about begging, all Sea-faring men pretending losses of their Ships or goods on the Sea, going about the countrey begging, All idle persons going about in anie countrey eyther begging or using any subtilie craft, or unlawfull games and playes, or faining themselves to have knowledge in physionomie, palmestrie, or other like craftie science, or pretending that they can tell destinies, fortunes, or such other fantasticall imaginations, All persons that be, or bitter themselves to be Doctors, procurers, patent gatherers, or collectors for Coales, Prisons or Hospitals, All Fencers, Bearewards, common Players of Enterludes, and Minstrels wandring abroad, All Juglers, Tinkers, Pedlers, and petty Chapmen, wandring abroad, All wandring persons and common labourers, being persons able in bodie, using loytering, and refusing to worke for such reasonable wages as is taxed or commonly given in such parts where such persons doe, or shall happen to dwell or abide, not having living otherwise to maintaine themselves, All persons delivred out of Coales, that do begge for their fees, or otherwise do travell begging: All such persons as shall wander abroad begging, pretending losses by fire, or otherwise: (All such person and persons as shall wander by and downe the countrey to sell glasses. 1. Jac. 7.) And all such persons not being felons, wandring and pretending themselves to be Egyptians, or wandring in the habit, forme, or attire of counterfeitt Egyptians, shall be taken, iudged, and deemed Rogues, Vagabonds, and Rurdie Beggars, and shall sustaine such paine and punishments, as by this Act is in that behalfe appointed. But this Act shall not extend to any childzen under the age of seaven yeares. 39. Elizab. 4.

The punish-
ment of a Va-
gabond.

3 Everie person which is by this present Act declared to be a Rogue, Vagabond, or Rurdie Begger, which shall be at anie time taken begging, vagrant, wandring, or misordering themselves in any part of this Realme, or the Dominion of Wales, shall upon their apprehension by the appointment of any Justice of Peace, Constable, Headborough, or Tithingman of the same Countie, Hundred, Parish, or Tithing, where such person shall be taken (the Tithingman or Headborough being assisted therein with the advice of the Minister, and one other of that parish) be stripped naked from the middle upwards, and shall be openly whipped, untill his or her bodie be bloudie: And shall be forthwith sent from parish to parish by the officers of everie the same, the next straight way to the parish where he was bozne, if the same may be knowne by the parties confession or otherwise. And if the same be not knowne, then to the parish where he or she last dwelt before the same punishment, by the space of one whole yeare, there to put him or her selfe to labour as a true subiect ought to doe: And not being knowne where he or she was bozne, or last dwelt, then to the parish through which he or she last passed without punishment.

After

After which whipping the same person shall haue a Testimoniall subscribed with the hand, and sealed with the seale of the same Justice of Peace, Constable, Headborough, or Tythingman, and of the Minister of the same parish, or of anie two of them, testifying that the same person hath bene punished according to this Act, and mentioning the day and place of his or her punishment, and the place wherunto such person is limited to go, and by what time the said person is limited to passe thither at his perill. And if the said person through his or her default do not accomplish the order appointed by the said testimoniall, then to be eftsoones taken and whipped, and so as often as any default shalbe found in him or her contrarie to the forme of this statute, in euery place to be whipped, till such person be repaired to the place limited: The substance of which Testimoniall shall be registred by the Minister of that Parish, in a booke to be provided for that purpose, vpon paine to forfeit v.s. for euerie default thereof. And the partie so whipped, and not knowne where he or she was borne, or last dwelt by the space of a yeare, shall by the officers of the said Willage, where he or she so last past through without punishment, be conueyed to the house of correction of the limit wherein the said Willage standeth, or to the common gaole of that countie or place, there to remaine and be employed in worke, untill he or she shall be placed in some seruice, and so to continue by the space of one yeare, or not being able of body, untill he or she shall be placed to remain in some Almes house in the same countie or place. 39. El. 4.

4 Provided alwayes, if anie of the said Rogues shall appeare to be dangerous, Rogues which be dangerous, or not be reformed, to the inferiour sort of people, where they shall be taken, or otherwise bee such as will not be reformed of their roguish kinde of life by the former provisions of this Act: When it shall and may be lawfull to the said Justices of the limit where any such Rogue shall be taken, or any two of them, whereof one to be of the Quorum, to commit that Rogue to the house of correction, or otherwise to the Gaole of that countie, and then such of the same Rogues so committed, as by the Justices of the Peace then and there present, or the most part of them shall be thought fit not to be delinered, shall and may be lawfully by the same Justices, or the most part of them, then present in their open Sessions of the peace, bee branded in the left shoulder with an hot burning yron of the breadth of an english shilling, with a great Roman R vpon the yron, and the branding vpon the shoulder to be so thoroughly burned and set on vpon the skin and flesh, that the letter R be seene, and remaine for a perpetuall marke vpon such Rogue, during his or her life, and thereupon be sent by the same Justices to the place of his dwelling, if he haue any, if not, then to the place where he last dwelt by the space of a yeare, if that can be knowne by his confession or otherwise: And if that cannot be known, then to the place of his birth, there to be placed in labour as a true subiect ought to be. And after such punishment of any such Rogue, as is aforesaid, if any Rogue so punished shall offend againe, in begging or wandring contrarie to the said statute, or this Act, When in euery such case, the partie so offending shall be iudged a felon, and shall suffer as in cases of felonie, without benefit of Clergie, the same felonie to be tried in the countie where any such offendor shall be taken. 39. El. 4. 1. Jac. 7.

Branded with a hot yron R.

Felonie.

5 Euerie person or persons shall apprehend, or cause to be apprehended, such Rogues, Vagabonds, and sturdie Beggers, as he or they shall see or know to resort to their houses, to begge, gather, or receiue any almes: and him, her, or them, shall carie, or cause to be caried to the next Constable or Tythingman, vpon paine to forfeit for euerie default r.s. to be leuied and employed in maner and forme, and vpon such like proofe and conviction, as penalties and forfeitures are to be leuied and employed by the said stat. of 39. Eliz. And in default of such leuie, then to be leuied and employed by the Lord of the Lat, or his officer, where such offence shall be committed, in such maner as the persons authorized by the said statute, might, or should haue

Euery person shall apprehend a rogue.

Vagabonds, Rogues, &c.

The Constable. haue leuied and imployed the same. If such Constable or Withingman doe not cause the said Rogues, Vagabonds, and sturdie beggers, to be punished, according to the forme set downe in the said Act, of 39. Eliz. and to be conueyed according to the purport of the said Act, then the said Constable or Withingman shall forfeit. xx. s. for every default, to be leuied and imployed in manner and forme as in the said Stat. is declared. And also if any person or persons do in any wise disturbe or let the execution of this law, or any part thereof concerning the punishment and conueying of Rogues, Vagabonds, sturdie Beggers, or the reliefe or setting of poore impotent persons in any manner of wise, or make reasons against any officer or person authorized by this present Act, for the due execution of any the premises, the same person so offending shall forfeit and lose for every such offence, the summe of v. l. and shall be bound to the good behaviour. 39. Eliz. 4. 1. Jac. 7.

Disturbing the execution of the Statute. 6 No person or persons hauing charge in any voyage, in passing from the Realmes of Ireland or Scotland, or from the Isle of Man into this Realme of England, shall wittingly or willingly bring or conuey, or suffer to be brought or conueyed in any vessel or boat, from and out of the said Realme of Ireland, Scotland, or Isle of Man, into the Realme of England or Wales, or any part thereof, any Vagabond, Rogue, or Begger, or any such as shall be forced or verie like to live by begging within the Realme of England or Wales, being borne in the same Realmes or Island, on paines of every such person so offending, to forfeit and lose for every such Vagabond, Rogue, Begger, or other person like to live by begging xx. s. to the vse of the poore of the said parish in which they were set on land. And if any such Spanishe, Scottishe, or Irish Rogue, Vagabond, or begger be already, or shall at any time hereafter be set on land, or shall come into any part of Engl. or Wales, the same after he or she shall be punished as aforesaid, shall be conueyed to the next port or parish in or nere which they were landed or first came, in such sort as rogues are appointed to be by this present Act, and from thence to be transported at the common charge of the countrey where they were set on land, in those parts from whence they came or were brought. And euery Constable, Headborough, and Withingman, neglecting the due performance thereof, shall forfeit. for euery such offence, r. s. 39. Eliz. 4.

Bringing in to this realme of Irish, Scottishe, or Spanishe vagabonds. 7 No diseased or impotent poore person, shall at any time resort or repaire from their dwelling places, to the citie of Bathe or towne of Burton, or either of them, to the Bathes there for the ease of their griefes, vnlesse such person doe forbear to begge, and be licenced to passe thither by two Iustices of Peace of the countie where such person doth or shall then dwell or remaine, and provided for to trauell with such reliefe, for and towards his or their maintenance, as shall be necessarie for the same person, for the time of such his or her trauell, and abode at the citie of Bathe and towne of Burton, or either of them, and return thence, and shall returne home againe as shall be limited by the said licence, vpon paine to be reputed, punished, and bled as Rogues, Vagabonds, and sturdie beggers, declared by this present Act. And the inhabitants of the same citie of Bathe, and towne of Burton, shall not in any wise be charged by this act, with the finding or reliefe of any such poore people. 39. Eliz. 4.

Diseased persons resorting to Bathe or Burton. 8 Provided alwaies, that the Iustices of Peace within any countie of this Realme or Wales, shall not intronit or enter into any Citie, Borough, or townes corporat, where there be any Iustice or Iustices of the Peace of any such Citie, Borough or Towne corporat, for the execution of any braunch, article, or sentence of this Act, for or concerning any offence, matter, or cause, growing or arising within the precincts, liberties, or iurisdiccions of such Citie, Borough, or townes corporat, But that it may and shall be lawfull to the Iustice and Iustices of the peace, Mayors, Bayliffes, and other head officers of those cities, Boroughes, and townes corporat,

The Just. within townes corporat, shall onely intermeddle.

corpozat, where there be such Iustices of the Peace, to proceed to the execution of this Act, within the precinct and compasse of their liberties, in such maner and forme as the Just. of P. in any countie may or ought to doe within the same countie, by vertue of this Act: Any thing in this Act to the contrarie thereof in any wise notwithstanding. 39. Eliz. 4.

9 Provided also, that this Act, or any thing therein contained, shall not extend to the poore people for the time being, in the Hospitall called S. Thomas Hospitall, otherwise called the Kings Hospitall in the Borough of Southwarke neere adioyning to the Citie of London, but the Mayo, Comminaltie, and Citizens of the said Citie of London for the time being, shall and may haue the rule, order, and gouernment of the said Hospitall, and the poore people therein for the time being: Any thing in this Act to the contrarie notwithstanding. 39. Eliz. 4.

S. Thomas Hospitall in Southwarke

10 Provided also, that this Act or any thing therein contained, or any authoritie thereby given, shall not in any wise extend to disinherit, preiudice, or hinder Iohn Dutton of Dutton in the county of Chester Esquire, his heires, or assigns, for, touching, or concerning any libertie, preheminence, authoritie, iurisdiction, or inheritance, which the said Iohn Dutton now lawfully vseth, or hath, or lawfully may or ought to vse in allowing Pinshrels within the Countie Palantine of Chester, and the Countie of the citie of Chester, or either of them, for the gouernement of Pinshrels there, and keeping a Court yearly for that purpose, by reason of any auncient Charters, of any Kings of this land, or by reason of any prescription, vsage, or title whatsoeuer. 39. El. 4. 1. Jac. 25.

The iurisdiction of Iohn Dutton of Dutton referred.

11 All fines and forfeitures appointed, or to grow by this Act (except such as are otherwise limited or appointed by this Act) shall wholly goe and be employed to the vse of the reparations and maintenance of the said houses of correction, and stocke and store thereof, or reliefe of the poore where the offence shall be committed at the discretion of the Iustices of Peace of the same Limit, Citie, Borough, or Towne corpozat. And all fines and forfeitures appointed, or to grow by conviction of anie person, according to this Act, shall by warrant vnder the hands and seales of any two or more of the Iustices of the Peace of the same Countie, Citie, Borough, or Towne corpozat, be lenied by distresse, and sale of the goods and chattels of the offender, which sale shall be good in the law against such offender. And if any of the said offences shall be confessed by the offender, or that the same shall be proued by two sufficient and lawfull witnesses, before such two or more Just. of the peace: Then euerie such person shall forthwith stand and be in the Law convicted thereof. 39. Eliz. 4.

In what sort the for. shall be employed.

12 Any two or more Just. of the P. within all the said Shires, Cities, Boroughs or Townes corpozat, whereof one to be of the Quorum, shall haue full power by authoritie of this present Act, to heare and determine all causes, that shall grow or come in question, by reason of this Act. 39. El. 4. S. Iust. of peace 74.

Just. of peace may heare and determine all the causes of this Statute.

13 The Lord Chancelor, or Keeper of the great Seale of England for the time being, shall and may at all times hereafter, by vertue of this Act, without further warrant, make and direct commission or commissions vnder the great Seale of England, to any person or persons, giuing them, or some of them thereby authoritie, as well by the oathes of good and lawfull men, as of witnesses, or examination of parties, or by any other lawfull wayes or meanes whatsoeuer, to inquire what summes of money, or other things haue beene, or shall be collected or gathered, for, or towards the erection of any houses of Correction, or any stockes or other things to set poore on worke, or for the maintenance thereof, at any time after the seventeenth day of Nouember, in the xvij. yeare of the Raigne of the Queene, and by whom the same were or shall be collected or gathered, and to whose hands commended, and to what vse, and by whose direction the same was, or shall be employed. And to

Commissioners to enquire for money gathered for houses of correction, or stocke for the poore.

Vagabonds, Rogues, &c.

to call all and euerie such person and persons, and their suerties, and euerie of their executozs or administtratozs to an accompt: And to compell them, and euerie of them by attachment of their goods or bodies, to appeare befoze them for the same, and to heare and determine the same, and to leuie such money and things, as they shall find not to haue beene duely employed vpon the said houses of Cozrection, or Stockes, or vpon other like vses, hauing in such other like vses, respect of things past by the said Commissioners to be allowed of, eyther by distresse, and sale of the goods and chattels of such persons as they shall thinke fit to be chargeable, or answerable for the same, or by imprisonment of their bodies at their discretion: And the same Commissioners shall haue full power and authozitie to execute the same Commission, according to the tenor and purpozt therof: And all their proceedings, doings, iudgements, and executions, by force and authozitie thereof, shall be, and remaine good and auailable in the Law: Which said money so leuied by the said Commissioners, shall be deliuered and employed for the erecting or maintenance of the same. 39. Eliz. 4.

A pzoouision
for poore Sea-
faring men.

14 Pzoouided alwayes neuerthelesse, that euerie Seafaring man suffering Shipwacke, not hauing wherewith to relieue himselfe in his trauels homewards, but hauing a Testimoniall vnder the hand of some one Just. of the P. of, or neeres the place where he landed, setting downe therein the place and time, where, and when he landed, and the place of the parties dwelling, or birth, vnto which he is to passe, and a conuenient time therein to be limited for his passage, shall and may without incurring the danger and penaltie of this Act, in the vsuall waies directly to the place vnto which he is directly to passe, and within the time in such his Testimoniall limited for his passage, aske and receiue such reliefe, as shall be necessarie, in and for his passage. 39. Eliz. 4. 1. Jac. 7. To continue vntill the end of the next Parliament.

There shall be
a house of coz-
rection in euery
shire to set idle
persons to
wozke.

15 Befoze the Feast of S. Michaele the Archangell, which shall be in the yeare of our Lord God 1611. there shall be erected, built, or otherwise pzoouided, within euerie countie of this Realme of England and Wales, where there is not one house of cozrection already built, purchased, pzoouided, or continued, one or moze fit and conuenient house or houses of cozrection, with conuenient backside thereunto adioyning, together with Mills, Turnes, Cards, and such like necessarie employments, to set the said Rogues, or such other idle persons on wozke: The same houses to be built, erected, or pzoouided in some conuenient towne or place in euerie countie: which houses shall be purchased, conueyed or assured vnto such person or persons, as by the Justices of peace, or the moze part of them, in their quarter Sessions of the peace, to be holden within euerie countie of this Realme of England and Wales, vpon trust, to the intent the same shall be vfed and employed for the keeping, cozrecting and setting to wozke of the said Rogues, Vagabonds, Sturdie Beggars, and other idle and disorderly persons. 7. Jac. 4.

The cost of euery
Justice
of peace, if the
house of coz-
rection be not
pzoouided.

16 If the said house to be erected, purchased, or pzoouided, shall not be erected, built, or otherwise pzoouided befoze the Feast of Saint Michaele the Archangell which shall be in the yeare of our Lord God 1611. next ensuing the last day of this present Session of Parliament, then euery Justice of peace within euerie Countie of this Realme of England and Wales, where such house and backside shall not be erected and pzoouided, shall forfeit for his said neglect, v. l. of lawfull English money, the one moitie thereof to be vnto him or them that will sue for the same by Action of debt, B. P. or J. in which suit no P. C. or M. of law shall be admitted: And the other moitie thereof to be employed and bestowed towards the erecting, building, pzoocuring, or pzoouiding the said house and backside, and such necessarie employments as aforesaid. 7. Jac. 4.

17 The Justices of peace of euerie Countie within the realme of England and Wales

Shal, at their quarter Sessions of the peace to be holden for their severall Countie (next after the erecting, providing or building of the said house or houses, and so from time to time) or the most part of them, shal elect, nominate, and appoint, at their will & pleasure, one or more honest fit person or persons, to be governing or master of the said house or houses so to be purchased, erected, built or provided: Which person & persons so chosen by vertue of this present act, shal have power and authority, to set such rogues, vagabonds, idle & disorderly persons, as shall be brought or sent unto the said house, to worke & labour (being able) from time to time, for such time, as they shall continue, and be remaining in the said house of correction, and to punish the said rogues, vagabonds, idle & disorderly persons, by putting fetters or gins upon them, & by moderate whipping of them: And that the said rogues, vagabonds, & idle persons, during such time as they shall continue or remaine in y^e said house of correction, shall in no sort be chargeable to the countie for any allowance, either at their bringing in, or going forth, or during the time of their abode there, but shal have such and so much allowance, as they shal deserve by their own labour and worke. 7. Jac. 4.

The Governour shalbe appointed of everie house of correction, and his authority.

The Rogues shall not be chargeable to the countie.

18. The said Justices of peace of everie Countie within everie of their severall divisions twice in everie yeare at the least, and oftener if there be occasion, shall assemble and meet together, for the better execution of this Statute, and that some foure or five daies before their assemble and meeting, the said Justices or the more part of them, shall by their warrant command the Constables, and Tythingmen of everie Hundred, Towne, Parish, Village, and Hamlet within their said severall divisions, which shall be assisted with sufficient men of the same place, to make a generall priue search in one night within their said Hundreds, Townes, Villages and Hamlets, for the finding out and apprehending of the said Rogues, Vagabonds, wandring and idle persons, and that such Rogues, Vagabonds, wandring and idle persons as they shall then find and apprehend in the said search, shall by them be brought before y^e said Justices, at their said assemble or meeting, there to be examined of their idle and wandring life, there to be punished, or otherwise by their warrant to be sent or conveyed unto the said house or houses of correction within the said Countie, appointed and prescribed, there to be deliuered unto the Master or Governour of the said house, or to his deputie or assignes to be set to labour and worke, at which daies and times of assemble or meeting, so to be held by the said Justices of Peace, the Constables, and Tythingmen of everie Hundred, Parish, Towne, Village, and Hamlet, shall then appeare in everie their severall divisions, before the said Justices of Peace, at the said assemblies or meetings, and there shall give accompt and reckoning upon Oath, in writing, and under the hand of the Minister of everie Parish, what Rogues, Vagabonds, and wandring and disorderly persons, they have apprehended both in the same search, and also betwene every such assemblies and meetings, and how many have bene by them punished, or otherwise sent unto the houses of correction: Which if the said Constables or Tythingmen shall neglect to performe, as also, to convey safely all such Rogues, with all other idle or disorderly persons at the charge of the hundred, as by the Justices of Peace warrants shall be sent unto the houses of correction in the same countie, that then they shall forfeit such further fines, paines, and penalties, as by the said Justices of Peace, or the most part of them, shall be thought fit and convenient, not exceeding the summe of fortie shillings for everie offence. 7. Jac. 4.

Generall priue searches shalbe made in every hundred, town, &c.

The Constables accompt of vagabonds apprehended.

19 And for that it is convenient that the Masters or Governours of the said houses of correction, should have some fit allowance and maintenance for their care and travell to be had in the said service, as also for the relieving of such as shal happen to be weake and sicke in their custodie, and that the Subjects of this realme

The Governour shalbe allowed for his paines and maintenance.

CCC

Should

Vagabonds, Rogues, &c.

Should in no sort be overcharged to raise by money for stocks to set such on worke as shall bee committed to their custodie. The Masters or Governours of the said houses of correction, shall have such summe of money yearely, as shall be thought meete, by the most part of the Justices of Peace within the said Countie at the quarter Sessions of the peace, the same to be paid quarterly before hand by the Treasurers, appointed by one Act made in the thre and fortieth yeare of the late Queene Elizabeth, intituled, an Act for the reliefe of the poore, during the time they the said Masters or Governours shall be employed in the sayde service, (the said Master or Governour giving sufficient suretie, for the continuance and performance of the said service) which if the said Treasurour shall neglect or refuse to performe, That then the said Master or Governour of the house of correction, shall have authoritie by this present Act, to leuie the same, or so much thereof as shall bee vn timer, upon the said Treasurers accompt, in such manner and forme, as by the said Statute they the said Treasurers are appointed and authorized, to leuie the weekly summe of payment being to them vn timer. 7. Iacob. 4.

The punishment of lewd women which haue bastards

20 And because great charge ariseth vpon many places within this Realme, by reason of bastardy, besides the great dishonour of almighty God, euery lewd woman which after this present session of parliament, shall haue any bastard which may be chargeable to the parish, the Justices of peace shall commit such lewd woman vnto the house of correction the to be punished and set on worke during the terme of one whole yeare: And if she shall eftsoones offend againe, That then she to be committed to the said house of correction as aforesaid, and there to remaine vntill she can put in good sureties for her good behaniour not to offend so againe. 7. Iac. 4.

A remedie for them that run away & leaue their children to the charge of the parish.

21 And for that many wilfull people, finding that they hauing children, haue some hope to haue reliefe from the parish wherein they dwell, and being able to labour, and thereby to relieue themselves and their families, do neuertheless runne away out of their parishes, and leaue their families vpon the parish: For remedie whereof, all such persons so running away, shall be taken and deemed to be incorrigible Rogues, and indure the paines of incorrigible Rogues: And if either such man or woman being able to worke and shall threaten to run away, and leaue their families as aforesaid, the same being proued by two sufficient witnesses vpon oath before two Justices of Peace of that diuision, That then the said person so threatening, shall by the said Justices of Peace bee sent to the houses of correction (vntill he or she can put in sufficient sureties for the discharge of the parish) there to be delt with and detained as a sturdy and wandring Rogue, and to be deliuered at the said assemblie or meeting, or at the quarter sessions, & not otherwise. 7. Iac. 4.

The Governours that give accompt to the Justices of all persons committed to their custodie.

22 And because there shall be the more care taken by all such masters of the houses of correction, that when the countie hath bin at trouble and charge, to bring all such disorderly persons as aforesaid to their safe keeping, that then they shall performe their duties in that behalfe, Be it therfore enacted by the authority aforesaid, that if they shall not euery quarter Sessions, yield a true and lawfull accompt vnto the Justice of peace, of all such persons as haue bin committed to their custodie: Or if the said persons committed to their custodie, or any of them, shall be troublesome vnto the Countie, by going abroad, or otherwise shall escape away from the said house of correction, before they shall be from thence lawfully deliuered, that then the said Justices shall set downe such fines and penalties vpon the said masters & governours as the more part of them in their quarter sessions shall thinke fit & convenient, & all fines & penalties not herein before limited shall be paid vnto the treasurer, and accompted for by the treasurer aforesaid: This act to haue continuance for the space of seven yeares, and from thence to the end of the next Session of Parliament.

ment after the said seven yeares. 7. Iac. 4.

1 What Act done by any servant shall procure him to be punished as a vagabond. S. Labourers 8.

2 A Souldier or Mariner taken forging or counterfeiting a certificat, shall be adjudged a Vagabond. S. Capitaines 23.

View.

View shall not be graunted, but in case where the View is necessarie: As if one loose land by default, and he that looeth, bringeth a writ to demand the same land: And in case where one by an exception dilatorie, abateth a writ after the view, as by Pontenure, or misnaming of the Towne, or such like, if he purchase another writ, in this case, and in the case before mentioned, the View shall not be graunted, if he had view in the first writs. In a writ of Dower, where the demand is of land that the husband aliened to the tenant, or his auncesters, where the tenant ought not to be ignorant what land the husband did alien to him or his auncestor, though the husband died not seised, yet view shall not be graunted. In a writ of Entree also that is abated, because the demandant misnamed the entree, if hee purchase another writ of Entree, if the tenant had View in the first writ, he shall not have it in the second. In all Writs also where lands bee demanded by reason of a Demise made by the demandant or his auncestor, unto the tenant, and not to his auncestor, as that hee demised to him being within age, not whole of mind, being in prison, and such like, view shall not be graunted: But if the demise were made to his auncestor, the view shall lie as it hath done before. West. 2. 13. Ed. 1. 48.

In what cases View is grantable, and in what not.

Villenage and Villaines.

Villenage may be pleaded, and a Villaine may be seised by his Lord, though the Villaine hath a writ of Liberte probanda hanging. 2. Ed. 3. 18. Upon their Lords request, speciall Commissions shall bee graunted to the Justices of Peace, or other sufficient persons to inquire of Villaines, which do vlie themselves rebelliously, and will not be satisfied by their Lords. And also of their counsellors and maintainers, which Commissioners shall have power, to heare and determine the same, and to imprison the offenders. 1. R. 2. 6.

Commissions to inquire of misdemeanors of Villaines.

2 Though any mans Villaine doe flie into any Citie, Towne, or place infranchised, and do saue any suit against his Lord, to the intent by that meanes to be come free, yet the Lord shall not bee barred of his Villaine, because of his answer in Law. 9. R. 2. 2.

Villaines suing their Lords.

3 No writ shall be abated by an exception of cognisance of Villenage, if the demandant will averre, that he which alledgeth the exception was free the day of the writ purchased. 37. Ed. 3. 17.

Cognisance of Villenage.

Victuall, Victuallers.

Euerie man that bringeth Victuals, whatsoever they be, to the Citie of London, by land, or by water, may freely sell the same to whom it shall please him, without being interrupted or impeached by any Fisher, Butcher, Baker, or any other whatsoever. And the Maior and Aldermen of the said Citie may rule and redresse the defaults of Fishers, Butchers, and Bakers, as they doe of those which sell Bread, Ale, or Wine. 31. E. 3. 10. 7. R. 2. 11. S. Merchants 1.

Victuals brought to London.

2 All Forreines and aliens being in friendship with the King and the Realme,

CCC G

and

Viduals, Vidualers.

Wiens bying-
ing in vidual,
may sell them
in grosse, or
by retaille.

and comming within the citie of London, and other cities, boroughs, and townes, within the Realme, aswell within Liberties, as without, with Fish and all other Viduals, and their tarrying and returning againe to their owne countries, shal be vnder the Kings safeguard, and speciall protection. And it shall be lawfull to them, and euerie of them, to cut their fish and viduals in pices, and in part, by retaille, or in grosse, as if shal seme best vnto them to sel the same, and make their profit there, of, without the hinderance or contradiction of any man. 6.R. 2. 10. 1.H. 4. 17. And if any man disturbe any Forreine, or Alien, to sell their Fish in grosse, or by retaille, in part, or in the whole, contrarie to the foresaid ordinance, and is thereof attainted at the R. or the parties suit, he shall forfeit. xl. l. And he that will sue for the King, or for himselfe, shall haue the one halfe, and the King the other. And he that will sue for the King or himselfe, for any offence committed within the citie of London, contrarie to the foresaid Statute, may sue in what countie he will of the counties of Middlesex, Hertford, Essex, Kent, Surrey, or in the citie of London. 14.H. 6. 6.S. Merchantes 1.

**The prices of
viduals assign-
ued by the
Just of P.**

3 Vidualers shall haue reasonable gaine, and no moze, according to the limitation and discretion of the Iustices of Peace, vpon paine to bee grieuously punished after the discretion of the same Iustices, where no paine is limited in certaine. 13.R. 2. 8.

**Viduals shal
be sold at rea-
sonable prices**

4 Butchers, Fishmongers, Hocklers, Bzellers, Bakers, Vulters, and all other Sellers of any manner of vidual, shall be bound to sell the same vidual for a reasonable price, hauing respect to the price that such vidual is sold at in the places adioining, so that the sellers haue a moderate gaine, and not excessive, reasonably to be required, according to the distance of the place from whence the said viduals be carried: And if any sell such viduals in any other manner, and thereof be conuict, he shall pay the double value of the same, that he so received, to the partie dammified, or in default of him, to any other that will pursue in his behalfe. And the Maiors, and Bailifes of Cities, Boroughs, Merchant Townes, and the Ports of the Sea, and other places, haue power to inquire of all and singular which shall in any thing offend the same, and to lenie the said paine to the vse of them at whose suit such offenders shall be conuict. And in case the same Maiors and Bailifes be negligent in doing execution of the premises, and thereof be conuict before the Kings Iustices, then the same Maiors and Bailifes shall be compelled by the same Iustices, to pay the treble of the thing so sold, to the partie dammified, or to any other in default of him that will pursue, and also shall be grieuously punished by the King. 23.E. 3. 6. And no person other than such Maiors, Bailifes, or Couernors, before rehearsed, hauing Franchises, and surueying of viduals, and correction of the same, or other intituled by point of Charter, shal by colour of any letters Patents, vse any office of surueying, or correcting of Vidualers within any cities, boroughs, or other places, vpon paine of forfeiture for euerie default to the R. and J. xl. l. to be recovered by Action of debt, wherein no wager of Law, C. P. 4c. 12 Ed. 4. 8.

**Surueyors &
Correctors of
vidualers.**

**The prices of
viduals assign-
ed by the R.
Counsellors
and Officers.**

5 Upon euerie complaint made of any enhaunsing of prices of Cheese, Butter, Capons, Hens, Chickins, and other viduals necessarie for mens sustenance, without cause reasonable, in any part of the Kings Dominions, the Lord Chaunceloz, the Lord Treasurer, the Lord President of the Kings Councell, the Lord Priuie Seale, the Lord Steward, the Lord Chamberlaine, and all other Lords of the Kings Councell, the Treasurer and Comptroller of the Kings house, the Chaunceloz of the Duchie of Lancaster, the Kings Iustices of either Bench, the Chaunceloz, Chamberlaines, Under Treasurer, & the Barons of the Kings Exchequer, or seven of them at the least, whereof the Lord Chaunceloz, the L. Treasurer, the L. President of the Kings Councell, or the Lord Priuie Seale, to be one, haue power

power from time to time, as the caſe ſhall require, to ſet & ſare reaſonable prices of all ſuch kinds of viſuals above ſpecified, how they ſhall be ſold in groſſe, or by re-
taille, for reliefe of the ſ. ſubjects, and after ſuch prices ſet and ſared in ſome afoze-
ſaid, Proclamation ſhall be made in the ſ. name, vnder the great Seale, of the ſaid
prices, in ſuch part of this realm, as ſhalbe conuenient for the ſame. 25. H. 8. 2.

6 All Fermors, Owners, Woggers, and all other Viſualers, keeping any of
the kinds of viſuals afoze rehearſed, to the intent to ſell, ſhall ſell the ſame to ſuch
the ſ. ſubjects, as will buy them, at ſuch prices as ſhall bee ſet by the ſaid Procla-
mation, vpon the paines to be limited in the ſaid Proclamation to be forfeited, and
leuied to the ſ. vſe, in ſuch wiſe as the ſame proclamation ſhalbe declared. 25. H.
8. 2.

They which
haue viſuals
to ſell, muſt ſel
them at the
price ſared.

7 This act ſhal not be hurtful to maiors, bailifes, or other officers of cities, bo-
roughs, & ſpowns corporate, nor to any perſons, or bodies politicke, hauing authori-
tie to ſet prices of ſuch Viſuals, or of any of them, but they & euery of them, may ſet
prices therof, as if this act had neuer bin made. 25. H. 8. 2.

Head officers
of corporat
Townes may
ſet prices of
viſuals.
No viſuals
ſhalbe trans-
ported with-
out licence.

8 No perſon or perſons (vniſſe it be by licence vnder the ſ. great Seale) ſhall
carrie or conuey, or cauſe to be carried or conueyed, any Cozne, Wenes, Puttons,
Weales, Pozkes, Butter, Capons, Hens, Chickens, or other Viſuals neceſſarie
for mens ſuſtenance, to any the parts beyond the Sea (except only for viſualing of
Mariners and Merchants of Ships, paſſing the Seas: And alſo except barrellled
Butter and Weale to be caried to the parties of Ireland, as hath bin accuſtomed)
vpon paine of forfeiting of the value of the thing carried, contrarie to this Act, to
the ſ. & 3. ec. to be rec. by A. 3. ec. wherin no W. C. P. ec. 25. H. 8. 2. For the trans-
porting of cozne. S. Corne 1. 2. 6. 7.

9 No Officer in a Citie or Wozough, which by reaſon of his office ought to
keepe the Aſſiſe of Wines & Viſuals, ſo long as he ſhall be in office, ſhall ſell wine
or viſuals in groſſe, or by retaille, vpon paine to forſ. the thing ſold to the ſ. wherof
the third part ſhall be deliuered to him that ſued the offendor. 12. E. 2. 6. But when-
ſoener any Viſualer is choſen to beare any office with in any Citie, Wozough, or
Towne corporate, which for the time that he ſhall be in ſuch office, ſhould haue the
aſſeſſing and correction for ſelling of viſuals, then two diſcreet & honeſt perſons of
the ſame Citie, Wozough, &c. neither of them being a Viſualer, ſhall be choſen by
the Comminaltie of the ſame Citie, Wozough, &c. in like ſozme as the ſaid Officer
ſhalbe choſen: Which two perſons with the ſaid Officer ſhalbe ſwozne truly to ſeſſe
and ſet the prices and aſſiſes of viſual there for the time that any ſuch viſualer ſhal
abide in the ſaid office: And then it ſhalbe lawful to euery of the ſaid officers, after
the ſame viſuals be ſet and aſſeſſed by the ſame Officer, and the ſaid two perſons
or one of them (the other being abſent) to merchant & ſell wines, and all other viſu-
als in groſſe, and at retaille, during the time he ſhall be in any ſuch office, with out
any thing therof to forſeit: The ſoſeſaid Stat. of 12. E. 2. or any other Stat. not with-
ſtanding. Añ 3. H. 8. 8.

How the pri-
ces of viſuals
ſhal be aſſeſſed
when a viſu-
aler is chiefe
officer.

10 But this act ſhall not extend to diſcharge any miniſter of the Cities of Lon-
don, Pozke, and Couentrie, nor none of them, for any Wine or Viſual to bee ſold
by any retaille with in any of the ſaid cities. 3. H. 8. 8. S. 6. R. 2. 9.

London.
Pozke.
Couentrie.

1 A remedie againſt Conſpiracies made by Viſualers for ſelling their viſuall. S.
Artificers 1. 2. Corporations 7.

2 That no Viſualer ſhalbe a taker for the K. carriage. S. Porueiors 12.

3 When and in what caſe Corne and other Viſual may be transported, and when
not. S. Corne.

4 It is felonieto conuey any viſuals provided for the viſualing of Souldiers. S.
Annour 3.

Voucher, and Counterplea of Voucher.

Voucher, and Counterplea of Voucher.

A tenant impleaded, boucheth, the voucher denieth the warrantie

When any demaundeth Land against another, and the partie that is impleaded boucheth to warrantie, and the Voucher denieth his warrantie, in this case, like as the tenant should loose the land in demaund, in case where he boucheth, & the Voucher could discharge himselfe of the warrantie: In the same wise shall the Voucher loose, in case where he denieth his warrantie, and if he found and tried against him, that he is bound to warrantie. And if an Enquest bee depending between the Tenant & the Voucher, and the demandant doth desire a writ to cause the Jurie to appeare, it shall be granted unto him. West.2. 13.Ed.1.6.

Counterpleading of Voucher.

2 In a writ of Mortdauncester, of Cossnage, of Aiel, Nuper obijt, of Intrusion, and other like writs, whereby lands or tenements are demaunded which ought to descend, reuert, remaine, of escheat, by the death of any auncestoꝝ, or otherwise, if the Tenant bouch to warrantie, and the demandant counterpleadeth him, and will auerre by Assise, and by the Countre, or otherwise, as the Court will award, that the Tenant, or his auncestoꝝ (whose heire he is) was the first that entred after the death of him whose seisin he demaundeth, the auerment of the demandant shall be receiued, if the tenant will abide thereupon, and if not, he shall be further compelled to another answer. And in a writ of Right, if the tenant bouch to warrantie, and the demandant will counterplead him, and be readie to auerre by the Countre, that he that is boucheth, nor his auncestoꝝ, had neuer seisin of the land or tenement demaunded, fee or seruice by the hands of the Tenant, or his auncestoꝝ, since the time of him of whose seisin the demandant declareth, untill the time that the writ was purchased, and the plea moued, whereby hee might haue infeofed the tenant, or his auncestoꝝ, then shall the auerment of the demandant be receiued, if the tenant will abide thereupon, and if not, the tenant shall be further compelled to another answer. West.1.3.E.1.39. And whatsoeuer Tenant do bouch, and the demandant will auerre in some aforesaid, his auerment shall bee admitted, whether the partie boucheth be absent or present, without any respect had thereunto. An 20.E.1.Stat.de vocatis ad warranum.

Voucher in writs of Entie

3 In all writs of Entie, which make mention of degrees, none shall bouch out of the Line, or in other writs of Entie, where no mention is made of degrees, which writs shall not bee maintained but in cases where the other writs of degree cannot lie, nor hold place. An 3.E.1.39.

Warrantia chartz.

4 If percase the Tenant hath a deed that compriseth warrantie of another man which is bound in none of the cases aforesaid, to warrantie of an elder degree, his recoverie shall be saued unto him by a writ of Warrantia charta out of the Chancerie, when he will purchase it, but the plea shall not be delayed therefore. West.1.3.E.1.39.

Voucher of a dead man.

5 If the Tenant will bouch to warrantie a dead man, and the demandants will auer that the voucher is dead, or that there is none such, their auerment shall be receiued without moze delay. 14.E.3.18.

One impleaded in London doth voucher a fozeine.

6 If one being impleaded in the Citie of London, doe voucher a fozeine to warrantie, the Paioꝝ, and the Bailifes, shall adiourne the parties before the Iustices of the Bench at a certaine day, and shall send their recoꝝd thither, and the Iustices shall cause the warrantoꝝ to be summoned before them, and shall trie the warrantie. And the Paioꝝ and the Bailifes shall surcease in the meane time in the matter that dependeth before them by writ, untill such time as the warrantie be determined before the Iustices of the Bench: And when the matter shall be determined, commaundement shall be giuen to the voucher to depart unto the Citie, and to answer unto the first plea, and the demandant at his suit shall haue a writ from the Just.

Iustices of the Bench, unto the Payor and Baylifes, that they shall proceed in the plea: And if the demandant recover, the tenant shall come to the Iustices of the Bench, and haue a writ to the Payor and Baylifes, that in case the Tenant haue lost his land, they shall cause it to be extented, and retorne the same extent unto the Bench at a certaine day, and after it shall be commaunded to the Sherife of the Shire where the warrant^e was summoned, that he shall cause the tenant to haue of the lands of the warrant^{or} to the like value. And if it fortune that the tenant make default, at the day that is assigned him in the Bench, then shall there goe forth a writ from the Iust. of the Bench, to the Payor and Baylifes to seise the land demanded into the B. hands by Petite Cape, and to summon the tenant, that he be at the D^urkings at a certaine day, whereat the Iustices shall be aduised to giue iudgement vpon the same default, if he cannot saue it: And if he can saue it, then the Iust. shall be certified thereof by their record, and by the same record they shall plead the warrantie. Gloucester 6. E. 1. r. 2. An 9. E. 1. Articul. Stat. Gloucester.

7 Done being vouched to warrantie befoze the B. Iust. in plea of land or tene-
ment shall be amerced, because he was not present when he was vouched to war-
rantie, except the first day of the coming of the same Iustices. But if hee that is
vouched to warrantie be within the countie, the Sherife shall be commaunded that he
shall cause him to appeare within the third or fourth day, according to the distance
of the places, as the Iust. in Eyre haue vsed to doe. And if he doe remaine out of the
countie, then he shall haue a reasonable summons of x. daies at the least, according
to the Iust. discretion, and the Common Law. Marl. 5. 2. H. 3. 26.

Day given to
him that is
vouched.

1 Where the Feoffor may be vouched, by reason of these words, *Dedi & Concessi*
in his deed. S. Warrantie.

Upholsters.

N^o person shall make, to the intent to sell, or offer to be sold, any Featherbed, what stuffe
Bolster, or Pillow, except the same be stuffed with drie pulled fethers, or shall be put in
cleane Downe only, without mingling of scalded fethers, sen downe, thistle downe, featherbeds,
sand, lime, gravel, unlawfull or corrupt stuffe, haire, or any other, vpon paine of bolsters, pil-
loves.
foz. of all such featherbeds, bolsters, and pillowes, and euerie of them so offered to
be sold, or the value thereof, to the King and J. to be recovered by A. J. &c. wherein
no W. &c. C. P. &c. 11. H. 7. 19. 5. Ed. 6. 23.

2 No person shall make, to the intent to sell, or offer, or put to sale, any Quilt, what stuffe
Patteresse, or Cushions, which shall be stuffed with any other stuffe then fethers, shall be put in
wool or flockes alone, vpon paine of forfeiture of all and euerie such Quilts, Pat- quilts, mat-
tresses, or Cushions, so sold, or offered to be sold, or the value thereof, to the King tresses, cushi-
ons.
and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 11. Henr. 7. 19.
5. Edw. 6. 23.

Vses.

W^here anie person or persons, be, or shall be seised, of, and in any manors, The estate in
lands, tenements, rents, seruices, reuerfions, remainders, or other heredi- possession com-
taments, to the vse, confidence, or trust of any other person or persons, or of any neyed to him
bodie politike, by reason of any bargaine, sale, feoffement, fine, recoverie, covenant, that hath the
contract, agreement, will, or otherwise, by any meanes whatsoener: In euerie such vse.
case, euerie such person and bodie politike, that haue, or shall haue any such vse, con-
fidence, or trust, in fee simple, fee taile, for terme of life, yeares, or otherwise, or ante
vse, confidence, or trust, in remainder, or reuerter, shall stand and be adiudged in
lawfull seisin, estate, and possession, of, and in the same lands &c. and hereditaments
with

with their appurtenances, to all intents, of, and in such like estates, as they had, or shall have in use, trust, or confidence, of, or in the same. And the estate, title, right, and possession that was in them that were, or shall be seized of any lands, tenements, or hereditaments, to the use, confidence, or trust of any other, shall be adjudged to be in him, or them, that have, or shall have such use &c. after such manner and condition, as they had before, in or to the use &c. that was in them. 27. H. 8. 10.

Assurance made to divers to the use of one of them.

2 Where divers persons be, or shall be jointly seized of and in any lands, tenements, rents, reversioners, remainders or other hereditaments, to the use, confidence or trust of any of them, that be so jointly seized, then bee or they which have or shall have any such use &c. shall have only to him or them such estate, possession and seisin, of, and in the same lands, or other hereditaments in like manner, condition and course, as he or they had before in the use of the same lands &c. 20. H. 8. 10.

Saving of other mens right.

3 Saving to all and singular persons, and bodies politike, their heires and successors (other then those which be or shall be seized of any lands &c. to any use) all such right, title, entre, interest, possession, rents, and action, as they, or any of them had, or might have had before the making of this Act: And also saving to all and singular those persons, and to their heires, which be, or shall be seized to any use, all such former rights, titles, interest, possession, rents, customs, services, and actions, as any of them might have had to his owne use, in or to any manors, lands, tenements, rents, or hereditaments, whereof they be or shall be seized to any other use, as if this act had never bin made. 27. H. 8. 10.

Land assured to the use that rent should be paid out of the same.

4 Where divers persons be seized of, and in any lands, tenements, or hereditaments, in fee simple, or otherwise, to the use or intent, that some other person or persons shall have yearly to him or them, and to his or their heires one annuall rent out of the same lands &c. and some other, one other annuall rent to him and his assigns for terme of life, yeares, or for some other speciall time, according to such use as hath bene heretofore declared: In everie such case the same persons, their heires and assigns that have such use, and interest to have any such annuall rents out of such lands &c. shall be adjudged to be in possession of the same rent, of and in such like estate, as they had in the title, interest, or use of the said rent, or profit, and as if a sufficient graunt, or lawfull conveyance, had bene made and executed to them by such as were or shall be seized to the use of any such rent: And all such person and persons, as have, or hereafter shall have any title, use, and interest, in or to any such rent or profit, shall lawfully distraine for nonpayment of the same rent, and in their owne names make anowzies, or by their Baylives, or servants, make cognizances and iustifications, and have all other suits, entries, and remedies for the rents, as if the same rents had bene actually and really graunted to them with sufficient clauses of distresse, reentry, or otherwise according to such conditions, paines, or other things appointed upon the trust and intent for payment, or suretie of such rent. 27. H. 8. 10. V. Dyer fol. 362.

Vsurie.

Selling of wares & buying them againe.

N person or persons, of what estate or degree soever he or they be, shall by himselfe, fact or, attorney, servant, or deputie, sell his merchandizes or wares, to any person or persons, and within three moneths next after by himselfe, fact or, attorney, deputie, or by any other to his use, buy the same merchandises or wares, or any parcell thereof, upon a lesser price, knowing them to be the same, that he before did so bargain or sell, upon the paines and forfeitures hereafter limited in this statute. 37. H. 8. 9.

2 No person or persons of what estate &c. by way of any corrupt bargain, lene, exchange, chensance, gift, interest of any wares, merchandizes, or other things what

whatsoever, or by any other corrupt or deceitfull way, or meane, or by any couin, engine, or deceitfull way of conueyance, shall haue, receiue, or take lucre or gaines, for the forbearing or giuing day of payment of one whole yeare, of, and for his money, or other thing that shalbe due for the same wares, merchandises or other things aboute x. l. in the C. and so after the rate and not aboute, of, and for a moze or lesse sum or for longer or shorter time, and no moze greater gain or summe thereupon to be had: vpon the paine and forfeitures hereafter limited &c. 37. H. 8. 9.

None shall take aboute x. l. for the forbearing of C. l. for one yeare,

3 If any person or persons do bargain and sell, or lay to mortgage by any waies, or meanes, any manors, lands, tenements, or hereditaments to any other vpon condition of payment or nonpayment of any summe or summes of money to be made at any day certaine, or before any such day, by him that shall so bargain, sell, or lay to mortgage the same lands &c. the same person or persons to whom any such lands &c. shall be so bargained, sold, or laid to mortgage, shall not by reason thereof, haue, ne take in lucre, or gaines of the issues, reuenues, and profits of the same lands, &c. aboute x. l. in the C. for one whole yeare, and so after the rate abovesaid, for a moze or lesse summe, or for a longer or shorter time, and no moze, or otherwise, vpon the paines and forfeitures hereafter limited. 37. H. 8. 9.

None shall take aboute x. l. for the forbearing of C. l. for a yeare vpon sale or mortgage of lands,

4 If any person or persons shall do any act, or thing, contrary to the tenor, forme and effect of this stat. or any clause, article, or sentence contained in the same, then all and euerie offender and offenders therein, or any part thereof, shall forfeit for euerie such offence the treble value of the wares, merchandises, and other thing or things so bargained, sold, changed, or shifted, and the treble value of the issues and profits of the said lands, tenements, and hereditaments, so taken, had, or receiued by reason of any such bargain, sale, or mortgage, to the king and I. to be recovered by A. J. &c. wherein no W. C. P. &c. And also shall suffer imprisonment of his body, and make fine and ransom at the kings pleasure. 37. H. 8. 9.

The for. of the offenders in the premises.

5 But this Act shall not extend to any lawfull obligation, endorced with a condition, nor to any statute or recognisance made for the payment of a lesse summe, so that the same be made for a true, iust, and a perfect debt, or for the performance of any other true covenants made betweene the parties, other then in cases of vsurie, interest, corrupt bargaines, shift, or chensance: yett shall extend to any recovery, fine, seoffment, release, confirmation, or graunt made vpon condition with a true intent, other then to such as shall be made vpon condition, extending to vsury, interest, corrupt bargaines, shifts, or chensance: Any thing in this act contained, or any other statute &c. 37. H. 8. 9.

To these bands and assurances the Stat. extendeth not.

6 All bands, contracts, and assurances collaterall, or other, to be made for payment of any principall, or money to be lent, or covenant to be performed, vpon, or for any vsurie, in lending or doing of any thing against the said act of 37. H. 8. vpon or by which loane, or doing, there shall be reserved or taken aboute the rate of x. l. for the C. for one yeare, shall be utterly void, and the same statute of 37. H. 8. shall be most largely and strongly construed for the repressing of vsurie, and against all persons that shall offend against the true meaning of the said statute, by any way or deuise, directly, or indirectly. 13. Eliz. 8. 39. Eliz. 18.

All assurances whereby aboute x. l. in the C. l. shall be reserved, are void.

7 All Brokers, Solicitors, and diuers of bargaines, for contract, or other doings against the said statute of 37. H. 8. whereupon shall be reserved or taken moze then after the rate of x. l. for the loane of C. l. for a yeare, shall be to all intents indged punished, and bled as counsellors, attornies, or aduocates in any case of Premunire. An. 13. El. 8. 39. El. 18.

Brokers, Solicitors, & diuers of bargaines.

8 All vsurie, loane, and forbearing of money, or giuing dayes for forbearing of money, by way of loane, chensance, shifts, sale of wares, contract, or other doings whatsoever, for gains, mentioned in the said Statute of 37. H. 8. whereupon in not reserved or taken, or covenanted to be reserved, payed, or giuen to the lender, contractor,

He that taketh x. l. or lesse in the C. shall forfeit the interest only,

Usurie. Wager of Law. Wales.

contractor, shifter, forbearer, or deliverer, above the summe of tenne pounds for the loane, or forbearing of 100. l. for one yeare, or after the rate, for a moze or lesser sum or time, shall be punished in forme following, viz. everie such offendour against this byaunch of this present Statute, shall forfeit so much as shall be referred by way of Usurie above the principall, for any money so to be lent or forborne: all such forfeitures to be recovered and employed, as is limited for forfeitures by the said former Statute of 37. H. 8. And everie person offending in blurie, shifts, or chentisance against this Act, and not taking but onely after the rate of x. l. in the C. or under for a yeare, shall be only punished by the paines and forfeitures provided by this act against such as shall not take above the rate of x. l. in the C. for a yeare, and not otherwise. 13. El. 8. 39. El. 18. S. Just. of peace 91.

Punishment
by the ecclesi-
asticall law.

9 If any person shall offend contrarie to the said stat. of 37. H. 8. then he shall and may also be punished, according to the Ecclesiasticall lawes heretofore made against Usurie. 13. El. 8. 39. El. 18.

Dyphanes.

10 This Statute doth not extend unto any allowances for the finding of Dyphanes, according to the aunient customes of the Citie of London, or anie other Citie, where like order is for the custodie of Dyphanes and their goods, as in the said Citie. 13. Eliz. 8. 39. Eliz. 18.

Wager of Law.

He that swa-
geth his law,
must bring
others to
swear with
him.
A man may
swage his law
against Lon-
doners payg.

No Baylife shall put anie man in his open law, nor to his oath, upon his owne bare report, without lawfull witnesses brought in for the same. Mag. Chart. 9. H. 3. 28.

2 If any person be grieved or attached by his body in London by any of the same citie, surmising the defendant to be his debtoz, and that he will pzone by his papers, having neither ded nor taile, in this case the defendant shall be received to his law, by people of his own condition against such papers, and the creditoz shall take suer- tie by some other way, if he will, without putting the partie to plead to an enquest, if he will not of his owne good will. 38. Ed. 3. 5.

wager of law
indebt upon
the arrearages
of account.

3 If an action of debt brought upon the arrearages of account, the Justices of the Kings Court, and other Justices before whom such suits and actions shall bee in cities and boroughes sued and taken, have power to examine the Attorneys, and other whom it please them, and thereupon to receive the defendants to their law, or to trie the matter by enquest, according to the discretion of the same Justices and Judges. 5. H. 4. 8.

Wales.

wales annex-
ed to England

The Kings countrey or dominion of Wales shall stand and continue for ever incorporated, united and annexed, to and with this realme of England: and all and singular person and persons, bozne and to be bozne in the said principalltie, countrey, or dominion of Wales, shall have, enjoy and inherit all and singular free- domes, liberties, rights, privileges, and lawes, within this realme, and other the B. dominions, as other the B. subjects naturally bozne within the same, have, enjoy, and inherit, and the lawes, ordinances, and stat. of this realme of Engl. for ever, and none other shall be had, used, practised, and executed in the said countrey or dominion of Wales, and every part thereof, in like maner, forme, and order, as they be and shall be in this realme, and in such like maner and forme as hereafter shall be further established and ordained. 27. H. 8. 26.

English lawes
used in wales

wales divided
into shires
and hundreds

2 The B. dominion, principalltie, and countrey of Wales is divided into xij. shires, of the which viij. have bene shires of long and aunient time, viz. Glamor- gan,

gan, Carmarthen, Pembroke, Cardigan, Flint, Carnarvan, Anglesey, and Perioneth: And foure were newly ordeined by the Stat. of 27. Hen. 8. 26. viz. Radnor, Brecknock, Mountgomerie, and Denbigh, ouer and beside the shire of Monmouth, and diuers other Dominions, Lordships, and Manors in the marches of Wales, vnited and annexed to the shires of Salop, Hereford, and Gloucester, and ouer and besides the towne of Haverford west, which is a countie in it selfe. And the limitations of hundreds made within the said shires by vertue of the Commissions of W. H. 8. directed out of his court of Chancerie, and again returned into the same, shal stand in full strength and force, according to the said limitation, except such of the same, as sith that time hath bene altered by vertue of any Act of Parliament. 27. H. 8. 26. 34. H. 8.

3 There shall be and remaine a President and Counsell in the said Dominion and Principalltie of Wales, and the Marches of the same, with all officers, clerkes and incidents to the same, in maner and forme as hath bene heretofore vsed, which President and Counsell shall haue authoritie to heare and determine by their discretions, such causes and matters as be or hereafter shall be assigned to them by the B. &c. as heretofore hath bin vsed. 34. H. 8.

4 There shalbe kept Sessions twice in euery yeare in euerie of the said shires, in the said dominion and principalltie of Wales, the which Sessions shall be called the B. great Sessions in Wales. The Iustice of Chester for the time being shall hold and keepe Sessions twice in euery yeare in the shires of Denbigh, Flint, and Mountgomerie, and haue nothing but his old fee of C. l. yearely for the same. The Iustices of Northwales shall in likewise hold and keepe Sessions twice euery yeare, in euerie of the shires of Carnarvan, Perioneth, and Anglesey, and shall haue of the King a yearely fee of 50. l. for the same. One person learned in the Lawes of this Realme of England, by the King to be appointed, shall be Iustice of the shires of Radnor, Brecknock, and Glamorgan, and shall in like wise hold and keep Sessions twice in euery yeare, in euerie of the same shires, and shall haue yearely of the King 50. l. for his fee. One other person learned in the Lawes of this Realme, to be appointed, as is aforesaid, shall be Iustice of the shire of Carmarthen, Pembroke, and Cardigan, and of the towne and countie of Haverford west, and shall in likewise hold and keepe Sessions twice in euery yeare, in euery of the same shires, and shall also haue yerely of the B. 50. l. for his fee. The said persons, or Iustices, and euery of them, shall haue seuerall Letters Pat. and Commissions for their offices, vnder the B. great seale of England, to be exercised by themselves, or their sufficient deputies, according to the purposes and intents in their ordinances specified 34. H. 8.

5 The Qu. her heires and successors, may and shall at her or their pleasure constitute or appoint two or moze, learned as is aforesaid, in the lawes of this realm to be Iustices of, and for the said counties of Chester, Flint, Denbigh, and Mountgomerie, and two or moze learned &c. to be Iustices of Northwales, viz. of and for the said shires of Anglesey, Carnarvan, and Perioneth. And likewise two or moze learned &c. to be Iustices of and for the said circuit and shires of Radnor, Glamorgan and Brecknock, and also two or moze learned &c. to be Iustices of and for the said circuit and shires of Cardigan, Carmarthen, and Pembroke, and the towne and countie of Haverford west, any Law, Statute &c. notwithstanding. And her Maestie, her heires and successors may and shall at her and their pleasure from time to time associate, and graunt commission and commissions of association or associations, vnder the great Seale of England, to any person or persons learned, as aforesaid, to be associate to or with euerie, or any seuerall Iustice or Iustices for the time being, of the said seuerall circuits and counties aforesaid, or in any of the said counties. 18. Eliz. 7.

President
and Counsell;

Sessions
twice in the
yeare.

Denbigh.
Flint.
Mountgomerie

Carnarvan.
Perioneth.
Anglesey.

Radnor.
Brecknock.
Glamorgan.

Carmarthen.
Pembroke.
Cardigan.
Haverford.
The Iustices
commissions
vnder the
great seale.

The Q. may
appoint two
Iustices for
euery circuit,
or grant asso-
ciation.

Of what
things Just.
may hold plea.

6 Euerie of the said Justices within the limits of their commissions and authorities to them appointed, as is aforesaid, shall hold all manner of pleas of the Crowne, at and in the said Sessions, in as large and ample manner as the Queenes chiefe Justice of England, and other the Queenes Justices of the Kings Bench there, or any of them may doe in their places, or elsewhere, within the Realme of England. And also shall hold pleas of Assises, and all other pleas, and actions real, personall, and mixt, in as large and ample manner, as the Qu. chiefe Justice of the common pleas of England, and other Justices of the same pleas, or any of them may doe in the Realme of England. And euerie of the said Justices of Wales shall have authoritie to enquire of all Treasons, Murders, Felonies, Riots, Routs, unlawful assemblies, extortions, imbraceries, maintenance, retainers, concealments, contempts, and all other offences and euill deeds, of what natures, names, or qualities soeuer they be, done, committed, or perpetrated within the limits of their commissions and authorities, against the forme of the Common Law of the Realme of England, or of any statute of the same, and to heare, and determine the premisses, and euery of them, and generally to minister common Justice to all and singular the Qu. subjects, within the limits of their commissions and authorities, according to the Lawes, Statutes, and customes of the Realme of England, and according to this present ordinance of 34. Hen. 8. And all and euerie such two Justices or moze, to be appointed by the Queene, her heires and successors (according to the statute made 18. El.) within euerie of the said seuerall circuits and counties, And also euerie such Justice or Justices together with such person or persons associate, (if any such association or associations shall happen to be as aforesaid) during such association, and after such association ended, or without such association, such Justice or Justices shall haue the like power and iurisdiction, to all intents and effects, as any one Justice within any of the said circuits or Shires aforesaid, now hath, or at any time heretofore had or ought to haue. And also shall haue like power and iurisdiction to keepe and hold the seuerall Sessions aforesaid twice in euerie yeare in euerie of the said Shires, within their seuerall circuits aforesaid, and to heare, determine, order, award, adiudge, receiue, take knowledge of, and execute, all and singular causes, matters, pleas of Assises, treasons, murders, felonies, indictments, appeales of murder, felonie, and maimes, actions reals, personals, and mixt, suits, plaints, informations, quarrels, affaints, conspiracies, Quare impedit, and all actions grounded vpon any Statute or Statutes, Writs, Procces, Returnes, Cōmoines, Verdicts, Judgements, Fines, acknowledges, confessions, warrants, and executions, actions, and acts whatsoever, and to doe, perfoyme, obserue, accomplish, and make all and euerie other act and acts, matter and matters, thing and things whatsoever, in like, and in as ample, beneficiall, lawfull and effectual manner and forme, to all constructions, qualities, intents, and purposes, as any of the now seuerall Justices, or any one of the now Justice or Justices within the same seuerall circuit or circuits, and counties aforesaid, may, ought, hath, or might lawfully doe by force of any Law, Usage, or Statute, heretofore had, made, or bled before the making of this Act. And all and singular Writs, Procces, Returnes, Cōmoines, Verdicts, Judgements, Fines, Reconeries, Recognisances, acknowledges, confessions, act and acts, thing and things, matter and matters, as aforesaid, had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed, by or before any such two Justices, or moze, or any such Justice or Justices, and associate or associates, as aforesaid, to be appointed, nominated, authorized, or constituted, as aforesaid, shall be allowed, taken, construed, expounded, and adiudged, as good, effectual, and auailable, to all intents, constructions, and purposes, as if the same had beene had, made, taken, done returned, heard, determined, awarded, adiudged, or executed, by, or before any such one Justice, or one of the

the Justices, now, or late being Justice or Justices of the same circuit, or severall circuits aforesaid: Any Law, Usage, Stat. &c. notwithstanding. 18. El. 7.

7 Cuerie of the said Sessions shall bee kept and continued by the space of sixe dayes in euerie of the said Shires, at either of the said times, as is and hath bin vsed within the said three Shires of Northwales. And the said Just. shall cause open proclamations to be made in the Shire Townes, what time and place they purpose to keepe their said Sessions, fiftene daies at the least befoze they keepe the same, to the intent the Kings Subiects may haue knowledge thereof. 34. Hen. 8.

Sesss kept
sixe daies.

Proclamation
six. daies be-
foze the Ses-
sions.

8 Daies shall be giuen in all pleas, plaints, proces, and adioynments, from day to day, and Sessions to Sessions, by the discretion of the said Justices within the limits of their authorities, for the good & speedie ministration of Justice, to all and singular the Kings subiects, as is or hath been vsed in Northwales. And the issues taken befoze the said Justices in pleas personall, which cannot be tried befoze them in time of their great Sessions, for breuitie of time shall and may be tried at a petty Sessions, befoze the Deputie Justices there, as is & hath been vsed in the 3. Shires of Northwales (except such of the said suits, as by the discretion of the said Justices shall be thought necessarie, to be tried befoze themselves, within their limits.) 34. H. 8.

Daies in
Court.

Issues tried
in petty Ses-
sions.

9 The King shall haue all fines, issues, amerciaments, and all forfeitures of recognisances lost, or forfeited, befoze any of the said Justices in the Sessions aforesaid. And the Sherifffes within the limits of their offices, shall yearely extreat the same into the Exchequer appointed for their limit, to the intent, that proces from thence may be awarded to the Sherifffs, to leuie the same to the Kings use, as appertaineth, which Sherifffes shall perely make their accounts befoze the Kings Auditors thereunto assigned. 34. H. 8.

Issues.

Amerciaments

10 One originall Seale deuised by the King for Justice to be ministred in the said three Shires of Northwales, viz. the Shire of Merioneth, Carnarvan, and Anglesey, shall be and remain in the charge and custody of the Chamberlaine of Northwales. And one other originall Seale &c. for the said Shires of Carmarthen, Pembroke, and Cardigan, shall be and remaine in the charge and keeping of the Chamberlaine of Southwales. And likewise one other originall Seale &c. for the said three Shires of Brecknocke, Radnor, and Glamorgan, shall be and remaine in the charge and custodie of the Steward and Chamberlaine of Brecknocke. And also one other originall Seale &c. for the said Shires of Denbigh and Pountgomerie, shall be and remaine in the charge and custodie of the Steward and Chamberlaine of Denbigh. And the originall Seale of Chester, shall be and stand for the originall Seale of Flint, for Justice to be ministred in the said Shire of Flint, and shall be and remaine in the charge, keeping and custodie of the Chamberlain of Chester. 34. H. 8.

Originall
Seales.

11 The said Stewards and Chamberlaines shall seale with the said Seales, that is to say, euery one of them shall seale with the Seale to his charge committed all manner of originall writs and processe, returnable befoze the said Justices, at the Sessions to be holden in euerie of the said shires, in manner and forme as is aforesaid. And shall seuerally account and aunswere to the King for the profits of the same Seale. And none of the said Stewards, Chamberlaines, or Chancellors, hauing the charge and keeping of the said seales, shall by occasion thereof, or by colour of any of their Offices, compell, or cause any person inhabiting within any of the said ry. Shires, to appeare befoze themselves, or their deputies: He shall haue power to heare or determine any pleas of the Crowne, nor other causes or matters of Justice, otherwise than in this ordinance is limited: But shall haue the charge and keeping of the said seales, to seale all originall writs and processe,

what shall be
sealed with
the originall
Seales.

Wales.

as shall be retournable before the said Justices in their said Sessions, as is aforesaid specified, and as hereafter shall be declared, which writs and process shall be used, made, sealed, and returned in manner and forme, as hath bin used before the Justices of Northwales. 34.H.8.

Process
against ac-
comptants.

12 All such persons as be or shall be the Kings Stewards, Chamberlaines, or Chauncellores within any of the said ry. Shires, which by reason of their said offices have charge for the receipt, collection, or account, of, and for the kings rents revenues, farmes, or profits to bee due to his Maestie within the said Dominion of Wales, may direct process vnder the said Seale, being in their charge and custodie, within the limits of their authorities, only against Bailiffs, Receives, Farmers, and other Ministers accomptant, to appeare before themselves, to answer to, and for any the Kings revenues, farmes, rents, or profits, and for none other causes, nor against any other person or persons, in like maner, as they have been accustomed in that case to doe. 34.H.8.

4. Judiciall
Seales.

13 Besides the said Originall Seales, there shall be 4. Judiciall Seales, devised by the King, whereof one shall remaine with the Justice of Chester, which is appointed to be Justice of Flint, Denbigh, and Mountgomery, to be used within the said Shires, to seale all Judiciall process, and Bills that shall be sued before the said Justices, in the Sessions to be holden within the same Shires. And one other of the said Judiciall Seales, shall likewise remaine and be in the charge and custodie of the said Justice of Northwales. And the thirde of the said Seales shall be & remaine in the custodie and charge of the Justice of the three Shires of Glamorgan, Brecknocke, & Radnor. And the fourth of the said Seales shall remaine in the charge and custodie of the Justice of the said three Shires of Pembroke, Carmarthen, and Cardigan. And the said Justices shall seale with the said Judiciall Seales, viz. every of them with the Seale committed to his charge and custodie, as well all bills, as all other Judiciall process, that shall be sued before them in the said Sessions upon any original bills or writs. And all other process that shall be awarded from any of the said Justices, shall be sealed with the said Judiciall Seale. 34.H.8.

What shall be
sealed with
the Judiciall
seales.

Justices ac-
compt for the
profits of the
seale &
Tesse of Judi-
ciall process.

14 Every of the said Justices shall accompt & answer to the K. for the profits of the said Seale, being in his charge and custodie, in maner and forme as hereafter shall be declared. 34.H.8.

15 The Tesse of every Bill and Judiciall process, that shall passe vnder the said Judiciall Seale, shall be vnder the name of such of the said Justices, from them such Bill or Judiciall process shall passe, in like maner and forme, as is used in the Common Plees in England. 34.H.8.

Writs sealed
with the Ori-
ginall seale.

16 All Actions real & mirt, Attaints, Conspiracies, Assises, & Quare impedit, Appeals of Murder, and Felonie, and all Actions grounded upon any Statutes, shall be sued by Originall writs, to be obtained and sealed with the said Originall Seale, returnable before the said Justices at their Sessions, within the limits of their authorities, in maner and forme, as is before mentioned. 34.H.8.

Personal acti-
ons of rl.s. or
above.

17 All maner of personal Actions, as debts, detinue, trespass, accompt, and such like, amounting to the summe of rl.s. or above, shall be sued by writs original, to be obtained and sealed, as is aforesaid, or by Bills at the pleasure of the partie suing the same before the said Justices, within the limits of their authorities, as is used in Northwales. 34.H.8.

Personal acti-
ons vnder rl.s.

18 All personall Actions, vnder the summe of rl.s. viz. debt, trespass, detinue, accompt, and such like, shall and may be sued before any of the said Justices in the said Sessions by Bill, as is used in Northwales: (But there shall no suit be taken before any of the said Justices, by Bill, vnder rr.s.) And every Originall Bill concerning actions personals, shall be sealed with the Kings Judiciall Seale, being in the custodie of the said Justice, before whom such personall actions by bill shall be

No suit be-
fore Justices
vnder rr.s.

be brought and commenced. 34.H.8.

19 Such fees shall be paid for the writing and sealing of such Original writs and bills, as hereafter shall be expressed, viz. for the sealing of everie original writ to be sued, in, and upon the causes aforesaid, and for everie Bill to be pursued in actions personals, whereof the debt and damages amounteth to the summe of xl.s. or above, the parties pursuing the same, shall pay for the sealing of everie such writ or bill, vi. s. and for everie Judiciall proces to be sued upon any such writ or bill, the partie pursuing such Judiciall proces, shall pay for the sealing thereof vi. s. whereof the King shall have vi. s. And the Justice sealing such Judiciall proces shall have j. s. And everie Bill in personall actions whereof the debt, dutie, or damage amounteth not to xl.s. And all manner Judiciall proces to be sued upon the same, shall also be sealed with the R. said Judiciall seale, and the parties pursuing the same, shall pay for the seale of every such bill, and Judiciall proces thereupon to be sued ii. s. whereof the R. shall have ij. s. and the Justice sealing such proces, shall have j. s. 34. Hen. 8.

Fees for writing a sealing of original writs & bills.

20 All writs of Scire facias, and writs of good Ahearing, or for the Peace, or writs of Superfedeas upon the same, & all other proces to be sued from the said Justices, upon any Recoꝝd or suggestion admitted by any of the said Justices within the limits of their authorities, shall also be sealed with the said Judiciall seale, & the parties pursuing for the same, shall pay for the seale of every such writ and proces vi. s. whereof the R. shall have vi. s. & the Justice by whom such proces shall be sealed j. s. And every Exemplification upon any Recoꝝd before any of the said Justices, shall be sealed with the R. Judiciall seale, and the parties pursuing the same, shall pay for the seale thereof ii. s. whereof the R. shall have xij. s. and the Justices sealing the same iij. s. 34. H. 8.

Proces sealed with the Judiciall seale, and the fees.

Exemplification.

21 Recoveries, and Fines, Concoꝝds, and warrants of Attorney for the same, shall and may be taken before everie of the said Justices, of lands, tenements, and hereditaments, within his authoritie, by force of his generall Commission, without any writ of Dedimus potestatem to be sued for them, in like maner and forme, as is used to be taken before the Kings chiefe Justice of his Common Place in England. And all Fines leuied before any of the said Justices, with proclamation made in the same Sessions, that the said Fine shall be ingrossed, and two other great Sessions then next to be holden within the same Countre, shall be of the same force and strength to all purposes, as fines leuied with proclamation be of, that be leuied before the Justices of the Common Place in England. 34. H. 8.

Recoveries, Fines.

22 Everie person suing writs of Entre in the Post, or writs of Covenant, or any other writs for any recovery to be had by assent of parties, or otherwise, or for any fine to be leuied, shall pay such fines to the R. for the same, as well fines Pro licentia concordandi, as all other maner of fines, as is used in the R. Chancerie, or else where in any of the R. Courts of England: Which Fines shall be paid to such persons as shall seale the Original writs for that purpose, & they shall accompt for the same, in like forme, as they shall do for the profits of the said Original seale, as is aforesaid. 34. H. 8.

Fines for writs of Entre, and Covenant.

23 The R. Silver upon every fine to be leuied, shall be paid as is used in the common Place of England, viz. y. s. which R. Silver shall be paid to the Justice before whom such fine shall be leuied, whereof the R. shall have xx. s. and the Pronotarie entering the same shall have ij. s. and the Justice before whom such fine shall be leuied other y. s. and the same Justice shall accompt for the R. part thereof, like as he shall for the profits of the R. Judiciall seale committed to his charge, in maner and forme as is aforesaid. 34. H. 8.

Kings Silver.

24 All Erroꝝs and Judgements before any of the said Justices at any time of Erroꝝ.

Dddd g

the

Wales.

the great Sessions, in pleas reales, or mirt, shalbe redressed by writ of Error to bee sued out of the R. Chancery of England, returnable befoze the kings Justices of his Bench in England, as other writs of Error be in England. And all Errors in pleas personals shal be redressed by Wils, to be sued befoze the said President and Councell of Wales, from time to time, as the party grieved will sue for the same. And in case the Judgement bee affirmed good in any of the said writs of Error, or Wils, then there to make execution, & all other Proses thereupon, as is vled in the R. Bench in England, & the pursuants in euerie such writ of Error, or bil, shal pay like fees thereto, as is vled in England. 34.H.8.

Falle Judge:
ment.

25 No execution of any Judgement to be giuen in any base Court shal be stayed or deferred, by reason of any writ of Falle iudgement, but execution shal and may be had & made, at all times befoze the reuersall of the said Judgement, the pursuit of the said writ notwithstanding. And in case the said Judgement happen after to be reuerled, then the party pursuant shal bee restored to all that he hath lost, by the said Judgement, according to the laws of this realme. 34.H.8.

weightie
causes.

26 All Proses for vrgent and weightie causes, shal be made and directed into Wales, by the speciall commaundement of the Chancelor of England for the time being, or any of the R. Councell in England, as hath bin vled: Any thing in this act ec. notwithstanding. 34.H.8.

Przenotaries.

27 There shal be foure Przenotaries for the making of all Iudiciall proses, and for the entring of all ples, proses, and matters of Record in the Sessions, to be holden befoze the said Justices, whereof one of the said Przenotaries shal attend vpon the said Justice appointed for the 3. shires of Northwales. And one other shal attend vpon the Justice assigned for the 3. shires of Flint, Denbigh, and Pountgomerie. And the third shal attend vpon the Justice assigned for the 3. shires of Carmarthen, Cardigan, and Pembroke. And the fourth of the said Przenotaries shal attend vpon the Justice assigned for the 3. shires of Glamorgan, Brecknocke, and Radnor. And these foure Przenotaries, as often as their said offices shal be void, shal be named and appointed by the R. by Letters Patents, vnder his great Seale of England. 34.H.8.

Przenotaries
fees.

28 Euerie of the said Przenotaries within the limits of their offices, shal take such fees, as hereafter be expessed, viz. for the writting of Plees, and ingrossing of writs of Entre in the Post, writs of Right, Quod ei de forceat, or any writs pursued by the assent of the parties, v.s. and if it be with a double Cloucher, then vj.s. viij. d. and for the exemplification thereof ij.s. and for the ingrossing of fines, to haue for euerie fine iij.s. iij. d. and if it bee with Proclamations, then iij.s. Item for euerie Bill of debt, Detinue, Trespasse, and all other actions personals sued befoze the said Justices in their circuits vnder the summe of xl.s. the Przenotaries shal haue for the first Bill iij. d. for the second Bil iij. d. and for the third bill iij. d. And for the entrie of euerie Declaration, Ple in barre, Replication, and Reioynder, in, and vpon euerie such actions, so that he doe inroll the same in parchment iij. d. And for euerie Venire facias, Tales, Habeas corpora, Distring. in the same actions iij. d. and for the Judgement iij. d. and for euerie writ of Execution, in euerie such action vj. d. and for euerie warrant of Attorney in euerie such action, aswell for the plaintifes, as for the defendants, iij. d. Item in all actions of detinue, trespass, and all other actions personall, wherein the dutie, debr, or damage amounteth to the summe of xl.s. or aboue, which shal be sued by bills befoze the said Justices, the Przenotarie shal haue for the first bill iij. d. for the second bill iij. d. and for the third bill iij. d. And for euerie Declaration, Answer, Replication, and Reioynder, if it be to be inrolled in parchment viij. d. and for the Venire facias, Tales, Habeas corpora, and Distring. for euerie of them vj. d. for the Judgement viij. d. and for the warrant of Attorney iij. d. and for euerie writ of Execution

tion upon the iudgement in such bills vij. pence. Item in Originall writs sued upon euerie action personall, returnable before the said Iustices, the Pzenotaries shall haue for euerie Iterum summon vij. s. for euerie Distresse in trespass vij. s. and for the Declaration vij. s. for the answer, replication and reioinder, for euerie of them, if they be inrolled and ingrossed, as is abovesaid, xij. s. for the Venire facias, Tales, Habeas corpora, and Distring. for euerie of them vij. s. and the Pzenotaries shall haue for the entrie of the Iudgements in euerie such action xij. pence. and for euerie writ of execution sued upon the same vij. pence, and for the exemplification of euerie recozd in any of the said actions y. s. for euerie warrant of Atturney iij. s. In all actions reall and mirt, Assises, Quare impedit, Appeales of Felonies, Murder, or Paihem, the Pzenotarie to haue for the declaration or plaint y. s. and for the plea in barre, replication, reioynder, surreioynder, for euerie of them, if they be inrolled as is aforesaid, xij. s. and for the writting of euerie Venire facias, Tales, Habeas corpora, and Distring. upon the same, for euerie of them vij. s. and for the entrie of the iudgement in euerie of the said actions and appeales y. s. and for the writting of the writs of execution made upon euerie of the said actions, appeales, and Assises, xij. s. and for writs of Grand Cape, and Petit Cape, and writs of Wiew, writs upon Voucher, and all other writs, in euerie such action or actions, xij. s. and for euerie warrant of Atturney for the defendants, or for the demandants, or plaintifes, in euerie such action reall, assise, appeale, or Quare impedit, iij. s. And for the Essoines in euerie such action iij. s. and for the adiozement y. s. and for the baile of euerie person of felonie xij. s. and for the baile of trespass vij. s. and for the apparance and bailing of common maineprie y. s. Item for writting of writs for the Peace and good Abearing, granted by any of the said Iustices in their Sessions vij. s. and for the entring of euerie Recognisance, to be had and taken before the said Iustices, for euerie cause or causes, other than before is expessed, xij. s. and if it be with condition, then y. s. and upon euerie acquittall and deliuerance of Felons or Murderers by verdict, or by allowance of pardon, the Pzenotaries shall haue y. s. and if it be upon Indictments certified from the Iustices of peace, before the Iustices of the great Sessions, the Clerke of the peace shall haue also xij. s. and upon deliuerie of any suspect of felony or murder by proclamation, the said Pzenotarie shall haue xij. s. 34. H. 8.

29 There shalbe a Marshall and a Crier in euerie of the circuits and limits allotted to the said Iustices, which shall be named by the said Iustices within the limits of their authoritie and commission, in like maner and form, as Iustices of Assise do in England: and the said Officers shall attend upon the said Iustices in their circuits in their owne proper persons, and not by their deputies, and the Marshall shall haue upon euerie Iudgement, and upon euerie Fine iij. s. and the Crier j. s. and upon the acquittals of Felons, and of them that shall be deliuered by proclamation, or deliuered out of common maineprie, before any of the said Iustices, the Marshall shall haue iij. s. and the Crier a pennie. 34. H. 8.

Marshall.
Crier.

30ouer and besides the said President, and the Councell, and Iustices, there shall be Iustices of Peace and Quorum, and one Custos Rotulorum, in euerie of the said shires. And the said Iustices of Peace, Iustices of Quorum, and Custos Rotulorum, in the said shires, shall bee named and appointed by the Chancelloz of England, by Commission vnder the great Seale of England, by the aduise of the President, Councell, and Iustices aforesaid, or three of them, of the which the said President to be one, from time to time, as the case shall require. And there shall not exceede the number of viij. Iustices of the Peace, in any of the said shires, ouer and besides the President, Councell, and Iustices aforesaid, and the Kings Attourney, and Soliciter: Which President, Councell, Iustices, and the Kings Attourney, and Soliciter shall be put in euerie Commission of peace,

Iustices of
peace.

Wales.

in euerie of the said shires. 34. H. 8.

What persons
may be Justices
of peace.

31 Such persons as shall be named to be Justices of Peace within euerie of the said shires, shall be of good name and fame, and after they be assigned by commission, may vse and exercise the Office of the Justice of Peace, albeit they may not dispend xx. l. nor be learned in the lawes of the land, without any losse, damage, or penalties, for insufficiency of their lands. And euery of the said Justices of peace, before they shall execute the Commission, shall take their oaths before the Chancellor of England, or else before the said President, or one of the said Just. in Wales, by vertue of the B. writ of Dedimus potestatem, or before any other person to be limited by the Lord Chancellor of England for that purpose, the contents of which oath shall be after the forme, as Justices of peace in England vse to make. 34. H. 8. S. Just. of P. 4.

Quarter
Sessions.

32 The said Justices of P. or two of them at the least, wherof one to be of the Quorum, shall & may keepe their sessions within the limits of their commissions 4. times in the yeare, & at other times vpon vrgent causes, as Just. of P. in England vse to do, and shall haue like power & authoritie in all things, and fees of the B. for the time of their sitting, aswel for themselves, as for their Clerks, and shall be bound to vse, and to do their offices, in like maner as is vied in England. 34. H. 8. S. Just. of P. 5. 6.

Fees of the
Justices, and
Clerks of the
peace.

33 No Justices of peace, Clerke of the Peace, nor other Clerke of any Justices of Peace in Wales, shall take for the writing of any warrant of the Peace, or good abearing, aboue vj. s. and for the entring of Pledges or Bozowes to pay the B. fine vpon any Indictment nine pence, and if it be with protestation, then to take twelue pence, for a Superedeas not aboue eight pence, and for a Recognisance twelue pence 34. H. 8.

Certificat of
Recognisance

34 All the said Justices of peace shall certifie all Recognisances taken before any of them for the peace, or good abearing, into their Sessions next to be holden after the taking thereof. And Recognisance taken before any of them for suspicions of any maner of Felonie, shall be certified before the Justices in the great Sessions next to be holden after the taking thereof, without concealement, detaining, or imbezilling of the same, vpon such penalties and dangers, as be therfore ordained and established. 34. Hen. 8. S. Just. of P. 106. 107.

Afferment of
fines, & amercia-
ments.

35 All fines and amerciaments before the said Justices of peace to be lost, shall be taxed and afferred by two Justices of Peace at the least, wherof one to be of the Quorum, and all such fines and amerciaments shall be set truly and duely, according to the quantitie of the offences, without parcialitie or affection. And the said fines and amerciaments, and also all issues lost before the said Justices of Peace, and all forfeitures of Recognisances, and other forfeitures before the same Justices, shall be yearely extreated by the Clerkes of the peace into the Exchequer, appointed for that limit, to the intent that proces may from thence be awarded for the leuying of the same forfeiture and summes of money to the Kings vse, to the Sherife of euerie Countie, as shall appertaine, who shall make thereof their accompts before such Auditors, as thereunto shall be assigned, so that the King may thereof be duely and truly answered and satisfied, which Auditors shall make due allowance to the same Sherifes for the fees of the Justices and Clerkes of the Peace vpon their said accompts, as is vied in England. 34. H. 8. S. Justices of Peace 7.

Fine, forfei-
tures, & amercia-
ments ex-
treated.

Justices and
Clerkes fees.

Sherifes.

36 There shall be Sherifes in euery of the said shires yerely appointed by the King, and none of the said Sherifes shall haue their Office of Sherifewicke any longer time than is vied by the Lawes and Statutes of England. And for the yearely nomination of the said Sherifes, the said Lord President, Councill, and Justices of Wales, or thzee of them at the least, wherof the said President to be

he one, shall yearely nominate three substantiall persons in euerie of the said shires, to be Sherifes of the same, and shall certifie their names to the Lords of the Kings Councell, attending vpon his Graces person, Crastino Animarum, to the intent the King being thereof aduertised, may appoint one of them in euerie of the said shires, to be Sherife for the yeare after, at his pleasure, like as his Highnesse doth for his Realme of England, and thereupon the said Sherifes shall haue their Patents and Commissions vnder the great seale of England, as Sherifes of England haue. And shall make and take oathes and knowledges of Recognisance, before the President and Iustices, or one of them, by vertue of the Kings writ of *De dimissu potestatem*, to be directed for the same, for the due execution of their offices, and for their iust and true accompts, before the Kings Auditor, or Auditors assigned for Wales. 34. H. 8. S. Sherifes 4.

Their Patents.

Oaths.

37 Euerie of the said Sherifes shall haue full authoritie within the limits of their Sherifswikes, to do and vse their offices as Sherifes in England, and shall accomplish and execute without any fauour, dread, or corruption, all maner of writs, processes, iudgements, and executions, and all common Justice appertayning to their Offices of Sherifes, and all lawfull commandements and precepts of the said President, Councell, and Iustices of Wales, and also of the Iustices of the W. Cheschaers, and Cozoners, and euery of them, in all things appertayning to their offices and authoritie. And the said Sherifes shall doe, and be bound to do all and euerie other thing and things for the ministracion of Justice, and for the conseruation of the Kings peace, and the apprehension and represse of traitors, murderers, theues, felons, and other offenders, as Sherifs of England do vse, and be bound to do with in the Realme of England. 34. H. 8.

The Sherifs authoritie.

38 The said Sherifes shall yearely accompt before such the kings Auditor, or Auditors, as shall be assigned by the king for his said Dominion of Wales. And euerie of the said Sherifes shall haue yearely for his fee v. l. 34. H. 8.

Sherifes haue accompt before Auditors.

39 Euerie of the said Sherifs shall haue a Gaole for prisoners within some convenient place of the Castle of the Shire towne where he is Sherife, or in such other convenient place, as by the said President, Councell, and Iustices, or thre of them (whereof the said President to be one) shall be appointed. 34. H. 8.

The Sherifs for Gaols.

40 The Sherifes Counties, or Shire Courts of the Countie of Brecknocke, shall bee holden at Brecknocke: of Radnor, at New Radnor and Preston: of Pountgomerie, at Pountgomerie and Paghenleth: of Denbigh, at Denbigh and Wirrham: of Ponnmouth, at Ponnmouth and Newpozt, Alcernis vicibus. 27. H. 8. 26.

Countie Courts.

41 The Sherifes shall keepe their Counties monethly, and their Hundred Courts for pleas vnder r. l. s. as is vied in England, and shall take for the entring of plaints, proses, pleas, and iudgements, in the said Shire Courts, and Hundreds, such small fees, as are vied to be taken in shires and Hundreds in England, and not aboue. 34. H. 8.

Countie Courts kept monethly.

42 All trials before them in their said Courts, or before any Stewards in court Barons, shall be by wager of law, or verdict of six men, at the pleasure of the partie plaintife or defendant that pleadeth the plea. 34. H. 8.

Trials before Sherifes, or Stewards.

43 Euerie of the said Sherifes shall keepe and hold their Turnes yearely after Easter, and Michaelmas, as they haue bin vied in England. And the King shall haue all forfeitures, fines, issues, and amerciaments, forfeited in any of the said Counties, and Hundreds, Courts, and Turnes, to his owne vse, and the Sherifes, shall accompt for the same accordingly. And the Creates of the said Turnes, Counties, and Hundreds, shall be viewed, and the fines, issues, and amerciaments, assessed by the Iustices of Assises of that circuit, before the leuying of the same amerciaments, or other forfeitures: and no Sherife, or any of his officers shall presume to

Sherifes Turnes.

Creates assessed by the Just. of assise.

Wales.

to gather, or leuie any such amerciament, or other forzeiture, befoze the said C'treat be so offerred, vpon paine to forzeit to the Kings vse xl. s. 34. H. 8.

**Execution
vpon a iudge-
ment in the
Sherifes court.**

44 The Sherife vpon euerie Judgement had befoze him in his Countie, or hundred Court, in any plaint vnder xl. s. shall, and may atward a Capias ad satisfaciendum, to arrest the partie condemned, or else a Fieri facias, at the libertie of the pursuant. 34. H. 8.

Sherifs fees.

45 All Bills sued befoze the said Justices in personall actions, whereof the debt, dutie, or damage is vnder xl. s. the Sherife shall haue for the returne of euerie bill ij. s. And for euerie Venire facias, Tales, Habeas corpora, and Distringas, ij. s. and for writs of execution vpon the iudgement in any such bill xij. s. And in bills sued befoze the said Justices in actions personals, aboue the summe of xl. s. the Sherife shall haue for the returne of euerie such bill iij. s. And for the returne of euerie Venire facias, Habeas corpora, Distringas, and Tales iij. s. and for euerie writ of execution ij. s. And in all personall actions sued by originall writs, returnable befoze the said Justices, the Sherife shall haue for euerie Iterum summōn, Distring. and Alias distringas, iij. s. and for euerie Venire facias, Habeas corpora, Distringas, and Tales, bj. s. and for euerie writ of execution to be executed vpon the iudgement in anie such actions ij. s. for the seruing of euerie writ of Elegit, bj. s. viij. s. And in all reall actions or mirt, pursued befoze the said Justices, by originall writ, for returne of euerie originall writ ij. s. and for returne of euerie other writ and iudiciall p'oces depending vpon the same befoze iudgement, ij. s. and for euerie writ of execution after iudgement vpon euerie originall, in actions reall, or mirt ij. s. and for seruing of euerie writ of Habere facias seisinam, bj. s. viij. s. And for attachments vpon Capias, or other p'oces sued befoze the said Justices by originall or iudiciall writ, if he returne Cepi corpus, ij. s. and for a Redditiū vpon an Exigent of felonie, in appeale of murder or maim, or vpon any indictment of felonie or murder, ij. s. and vpon a Redditiū vpon an Exigent of debt, trespassse, detinue, and all other actions personals xij. s. And for the making of Repleg. xij. s. and Withernam vpon the same xij. s. For the returne of euerie writ of appeale of murder, felonie, or maim xij. s. And vpon all other p'oces growen vpon the same, as Venire facias, Tales, Habeas corpora, and Distring. xij. s. And in euerie action taken befoze the Sherifes by Justices, for the summons thereof iij. s. And for euerie other p'oces thereupon iij. s. And for euerie prisoner deliuered by acquittall, or by proclamation for any manner of felonie xij. s. 34. H. 8.

Suspect persons put vnder mainprise.

46 Euerie Sherife within the limits of his authoritie, may and shall put such persons vnder common mainprise, as they haue reasonable cause of suspect, binding such as they shall so put to common mainprise with two sufficient suerties with them by Recognisance, to appeare befoze the Justices within the limits of their authorities, at the next great sessions to be holden next after the taking of such bands, and shall certifie the names of them that be bound befoze the said Justices at the said sessions accordingly, without concealement thereof at their pleasure. 34. H. 8. And the Recognisances of such common mainprise, and suertie of apparance taken befoze any of the said Sherifes shall be as good and effectuell, as if it were taken by any Justices of record. And euerie person and persons within the counties of Brecknock, Radnor, Pountgomery, Denbigh, Glamorgan, Carmarthen, Pembroke, and Cardigan, or anie of them, put vnder common mainprise, and bound to his or their personall apparance, as well by the foresaid Sherifes, as by the Justices of any of the said counties, shall keepe their apparance befoze the said Justices at euerie sessions within the said counties, to be holden in such manner and sozme, as is vied in the thre Shires of Northwales. 27. H. 8. 26.

The Sherifs fee for the mainprise.

47 Euerie person that the Sherife taketh to common mainprise, to appeare befoze the said Justices, as is aforesaid, shall pay for his mainprise ij. s. and not aboue. And

And the said Sherife shall put no man to common mainprize, but such as be suspect, and as shall be returned by them, before the said Justices at their Sessions, as is aforesaid. 34. H. 8.

48 And the said Sherife shall have for the returne of a writ of false iudgement out of a bafe Court, before the said Justices i. s. And the said Sherife shall take no manner of fee for the returne of any of the said writs of execution before expressed, vnlesse he returne the same executed. 34. H. 8.

The fee for
returne of a
writ of false
iudgement.

49 Euerie Sherife of the said twelue Counties in Wales, and of the Counties Palantine of Lancaster, Chester, and of the Citie of Chester, shall haue in euerie of the Courts of the Kings Bench, and Common Pleas, one sufficient deputie at the least, to receiue writs directed to such Sherife &c. 1. Edw. 6. 10. See Exigent &c. 7.

The Sher-
ifes depu-
ties.

50 The Sherifes shall make the Waylifes of Hundreds, and they shall attend vpon the Justices in euerie of their Courts and Sessions. 34. H. 8.

Waylifes of
hundreds.

51 Escheatozs shall be named in euerie of the said Shires by the Lord Treasurer of England, by the aduice of the said President, Councill, and Justices, or thre of them at the least, whereof the said President to be one, which Escheatozs shall make and take their oathes, and knowledge their Recognisances before the said President, or one of the said Justices, by vertue of the Kings writ of Dedimus possidem, to be directed for the same, for the due execution of their offices, and for their true accompt to be made before the Kings Auditor or Auditozs, to be assigned for the same, which oath and recognisance shall be agreeable to the oath and recognisance vsed for the Escheatozs in England. And the Escheatozs shall yearely haue their Patents and Commissions vnder the great seale of England, and shall haue power to exercise their offices, in like manner & forme as Escheatozs in England, and shall be bound to all Lawes and Statutes of England. And all such persons as shall be appointed to the said offices, shall and may exercise their offices, if they may dispend yearely v. l. of freehold: Any Statutes of England to the contrary thereof notwithstanding. And euerie of the said Escheatozs shall make their accompt yearely before such Auditor or Auditozs, as shall be assigned by the King to heare and determine his accompt, for his revenues and profits of the said dominion of Wales. 34. H. 8.

Escheatozs.

52 There shall be two Coroners, to be elected in euerie of the said twelue Shires, as is vsed in England, by vertue of the Kings writ de Coronatore eligendo, to be awarded out of the Kings Chancerie of England. And the said Coroners shall haue like authoritie to do and exercise their offices, and haue like fees as is limited by the lawes and Statutes of England. Provided alwaies that the writ de Coronatore eligendo to chuse the Coroners within the said countie of Flint, shall be directed out of the Erchequer of Chester. 34. H. 8.

Countie of
Flint.

53 The said Just. of P. or two of them at the least, whereof one of them to be of the Quorum, shall appoint and name in euerie Hundred within the limits of their commission, two substantiall Gentlemen, or Yeomen, to be the chiefe Constables of the Hundred wherein they inhabite, which two Constables of euerie Hundred shall haue speciall regard to the conseruation of the R. peace, and shall and may doe and vse their offices in all and singular things, as is vsed by the high Constables of the Hundreds in England, and shall be bound to all things as high Constables of the Hundreds in England be bound to. 34. H. 8.

Constables of
the hundred.

54 All Stewards of any Lordships, or Manors in Wales shall and may keepe and hold such Lectes, Lawdayes, and Court Barons, as appertaineth and belongeth to the Lordships, and Manors whereof they be Stewards, and hold plees, by plaint vnder the summe of xl. s. in euerie such Court Baron, and haue and enioy all other authorities, commodities, and profits, as Stewards of Lectes, Law-
dayes,

Stewards of
Courts.

Wales.

No Sheriffe
or Steward
shall inquire
of Felonie.

daies, and Court Barons in England commonly have, & be used to have by reason of the said offices, and none other: Any Law, Custome, &c. in the said dominion of Wales notwithstanding. But the said Stewards, nor any of them, nor the Sherifes of the said Counties in Wales, shall have any authoritie to enquire of any manner of Felonie in any such Leete, Lawday, or Turne, within the said dominion to be holden. And no Leet nor Lawday shall be kept by the Steward or other officer of any Lordship or Manor in the said dominion of Wales, but in such Lordships and places where it was accustomed to be kept, before the making of the statute of 26.H.8. so alwaies the place where such Court shall be kept be meet and convenient for that purpose. 24.H.8.

Head officers
of corporat
Townes.

55 All Mayors, Bailifes, and head Officers of corporate Townes in Wales may hold pleas and determine actions, & do everie other thing concerning common Justice, according to their lawfull grants and laudable customes of such Townes, so alwaies they follow the course, trade, and fashion of the Lawes and customes of the Realme of England, and not of any Welch Lawes or customes. And in everie of the said Townes they may trie all issues topned in any action personall, by vij. according as heretofore in divers places of the said Countrie it hath bin used: Any thing in this Act &c. notwithstanding. 24.H.8.

Aulneger.

56 The Aulneger in Wales, by himselfe, or his sufficient deputie or deputies, shall in all things to his office appertaining doe, and be bound to doe, and answer in everie case like, and according as all and everie Aulneger in England doe or ought to doe, according to the Lawes and statutes of the Realme of England. And for the contrarie doing or exercising of the said office, shall in everie case and degree suffer, as by the said laws and statutes is ordained for Aulnegers, under the Treasoner of England for the time being. 24.H.8.

All Courts
&c kept in the
english tongue

57 All Justices, Commissioners, Sherifes, Coroners, Escheatores, Stewards, and their Lieutenants, and all other Officers and ministers of the Law, shall proclaim and keepe the Sessions, Courts, Hundredes, Lates, Sherifes courts, and all other Courts in the English tongue, and all oaths of Officers, Juries, and Enquests, and all other Affidavits, verdicts, and wagers of Law shall be given and done in the English tongue. And also no person or persons that use the Welch speech, or language, shall have and enjoy any manner of Office or fees within the Realme of England, Wales, or other the Kings Dominions, upon paine of forfeiture of the same offices or fees, unless hee or they use the speech or language of English. 27.H.8. 26.

Fees rated by
the President
& Councill.

58 In all and everie writs originall or Judicall, or other proces, ples, or writings, which be not expressed in this ordinance, the fees thereof aswell for the scales, as writing, shall be rated by the said President, Councill, and Justices, or thyes of them, whereof the said President to be one, by their discretion from time to time, as the case shall require: And they shall have full power from time to time to asseesse and appoint what fee the said Sherifes, Escheatores, and Coroners, and their ministers, Penoraries, and their Clerkes, and other ministers of Justice in the said Shires, shall have of the Kings subiects for any manner writs, plaints, ples, proces, retornes, or any other matter or thing, concerning or belonging to the execution of their offices and rowmes, and to augment or diminish any fee or fees, above declared, as shall be thought by their discretions to be convenient and meet for the common wealth of the Kings subiects of those parties of Wales. 34.H.8.

All officers
obedient to
the President,
Councill, and
Justices.

59 All Mayors, Sherifes, Stewards, Bailifes, and other ministers, and officers of Justice, of everie Countie, Lordship, Towne, and place within the said Dominion of Wales, and all and singular the Kings subiects of the same, shall be alwaies obedient, attendant, and assisting to the said President, Councill, and Justices

Justices of Wales, and euerie of them, and shall obey the Kings commandements and processe from them, or anie of them directed, and all the lawfull and reasonable precepts of the said President, Councell, and Justices, and euerie of them. And also that be obedient to all the said Justices of Peace, Sherifes, and Eschetors, within the limits of their authorities, as well for common administration, and due execution of Justice, as in all other things appertaining to their dueties and offices. 34.H.8.

60 No person for murder or felonie shall be put to his fine, but suffer according to the Lawes of the Realme of England, except it please the K. to pardon him. And if the said Justices see cause of pitie, or other consideration, they may reprie the prisoner, till they haue advertised the King of the matter. 34.H.8.

No felon shall be put to his fine.

61 If anie Murder or Felonie be committed within Wales, then the partie to whom anie such offence shall be committed, shall in no wise make anie end or agreement with the offender in that behalfe, nor with anie other in his name or behalfe, vnlesse the said partie first make the said President and Councell, or one of the said Justices priue vnto the same, vpon paine of imprisonment and grievous fine, to be let and adiudged at the discretion of the said President, Councell, and Justices, or two of them, whereof the said President to be one. The same paine and penalties to extend as well to and against such as shall labour, moue, or procure any such end or agreement made (although the same labour, motion, or procurement neuer take effect to make any end or agreement) as against him or them, with whom such end or agreement shall be made, if the same happen to take effect. 34.H.8.

No man shall agree with a felon.

62 No person or persons without lawfull authoritie, shall make any rumors, tumults, tumults, vnlawfull assemblies, or outcries, at any of the said Courts or Sessions, nor any outcries, nor vnlawfull assemblies in great numbers, at any other time, except it be for the apprehension or pursuing of murderers, or felons, vpon paine of imprisonment, and greivous fine to be taxed and set vpon them by the said President and Councell, or by the Justices, or other Officer, before whom such misbehaviour shall happen to be committed. 34.H.8. 4.H.4.27.

Tumults.

63 In case any fozeine plea or voucher be made before anie of the said Justices of Wales, between partie and partie, triable in any other shire within Wales, then where the said plea is pleaded, or voucher made: Then the said Justices before whom the same plea or voucher shall be pleaded or made, shall and may send the Kings writ with a transcript of the record, mentioning the same fozeine matter of plea, or voucher, vnder the seale to him committed, vnto the Justice of the county where the same matter shall be triable, commaunding the said Justice by vertue of of the said writ, to proceed to the triall thereof, according to the Kings Lawes and Statutes, which triall so before him had, he shall remaund with the whole Record, vnto the Justices before whom the said plea or voucher was pleaded or made, who therupon shall proceed to iudgement, as the case shall require. And in case the same fozeine plea, voucher, or other matter so pleaded, be triable within the Realme of England, Then the Justice before whom the same plea or voucher shall be pleaded, had, or made, shall and may proceed to the triall thereof, as shall appertaine, within the same shire of Wales, where the same old plea, voucher, or matter was pleaded: the said fozein plea, voucher, or any other thing or matter to the contrarie thereof notwithstanding. 34.H.8.

Triall of Voucher, or fozein plea.

64 All manors, lands, tenements, messuages, and other hereditaments, and all rights and titles to the same, in any of the Shires of Wales, descended to any maner person or persons, since the feast of the Nativitie of Saint John Baptist, Anno 33. Hen. 8. or that hereafter shall descend, shall be taken, enjoyed, used, and holden as English tenure, to all intents, according to the Common Lawes of this

All lands in Wales shall be English Tenure, and not gavelkind.

Realme

Wales.

Realme of England, and not to be partable among heires Wales after the custome of Ganelkind, as heretofore in diuers parts of Wales hath ben vsed. And the same Law from and after the said feast of Saint John Baptist, in the said xxxij. yeare shall be vsed, taken, and exercised in the said countie of Monmouth, and in all such Lordships, and other places, as by vertue of the Act made 27. H. 8. 26. or by anie other Act or Acts, made or to be made, were and shall be annexed to any of the shires of Salop, Hereford, Gloucester, or other shires, any Lawes or customes etc. notwithstanding. 34. H. 8.

Mortgage of lands.

65 No mortgages of lands, tenements, or hereditaments, made or had, after the said feast of S. John Bap. which was 33. H. 8. or that hereafter shall be had or made within any of the said shires or places, shall be allowed otherwise, then after the course of the Common lawes and statutes of the Realme of England: Any vsage, or custome etc. notwithstanding. 34. H. 8.

Alienation of lands after the English maner.

66 It shall be lawfull to all persons, to alien, sell, or otherwise put away their lands, tenements, and hereditaments, within the said Dominion of Wales, the countie of Monmouth, and other places annexed to any of the shires in England, from them and their heires to any person or persons in fee simple, or fee taile, for terme of life or for terme of yeares, after the maner, and according as is vsed by the Lawes of England: any Welch Law or custome heretofore vsed in the said Dominion of Wales to the contrarie thereof notwithstanding. This Article to take effect, from and after the said feast of the natiuitie of Saint John Bap. Ann. 33. H. 8. 34. H. 8.

Inheritors of Wales bound by statute, or recognizance in England.

67 If any person or persons, hauing lands or tenements within the said Dominion of Wales, shall be bound within the Realme of England by obligation, vpon the Statute of the Staple, or by Recognizance, and pay not the debt, as shall appertaine: Then vpon certificat therof made into the Kings Chauncerie of England, by the Clerke of the Staple, or by any Iustice of Record, before whom such Recognizance shall be acknowledged, process shall be made to the Sherifes of Wales, out of the Chauncery of England, after the forme as is vsed to be made vpon Statutes and Recognizances by the course of the Lawes of England, for due leuying and paying of the said debt. But for such recognizances as shall be taken and knowledged before the Kings Iustices of his Bench, or Common Pleas in England, processes shall be had and pursued immediately out from the said Iustices, as is vsed vpon Recognizances taken before the Iustices by the common course of the lawes of England. 34. H. 8.

What writs, bills, & processes shall be vsed.

68 All such writs, bills, plaints, pleas, process, challenges, and trialls shall be vsed throughout all the shires aforesaid, before the said Iustices in their Sessions, as is vsed in Northwales, or as shall be deuised by the said President, Councell, and Iustices, or thre of them, wherof the said President to be one, for the good ministration of Iustice to be had in euery of the said shires. 34. H. 8.

Five yeares possession.

69 If anie person or persons, their aunccestors, or they whose estate he or they haue, haue bin in peaceable possession of any lands or tenements in Wales by the space of five yeares, without let, interruption, or lawfull claime: Then the same person or persons shall continue their possession, vntill such time as it be lawfully recovered against them by order of the Kings lawes, or by decree of the President and Councell there. 34. H. 8.

What liuing the Jurors in each case must dispend.

70 Euerie person that hath any lands or tenements in fee simple, or fee taile, or for terme of his life, or for terme of any other mans life, being frehold, shall and may passe in all manner Iuries trials, aswell in case of felonie or murder, as in all actions reall, personall, and mixt, and whatsoener they be (Attaint only except) and also may be impanelled, and enquire of all concealments, forcible entries, and other causes for enquiris of the King, albeit he may not dispend for tie fillings by yeare

vere: Having to every man his lawfull challenge for any other cause, according to the lawes of the realme of England. And no Juror shall passe in Attaint, unless he may dispend cl.s. by the vere, of estate of freehold. 34.H.8.

Attaint.

71 S.5.El.23.14.El.9. Jurors 23. That the demandants and plaintifes, tenants and defendants in Wales, upon request made to the Justices of the great sessions, may have a Tales de circumstantibus, where a full Jurie shall not appeare, or else after apparence of a full Jurie, where the Jurie is like to remain untaken for default of Jurors by challenge of any of the parties. S.34.H.8. That in personal actions taken and pursued before the Justices in Wales by writ or bill, if nine of the Jurie be sworn to trie the issue, & the rest make default, or be tried out, then the Sheriffs shall and may immediately returne other names in the said Jurie De circumstantibus, until there be xij. men sworn to trie the issue, as before the Justice of North Wales hath bin used.

Tales de circumstantibus.

72 If any goods or chattels be stolen by any person or persons, and sold in any faire or market, within the said Dominion of Wales, no such sale shall change the proprietie thereof from the owner of the same, but he may lawfully seise, take, and have the same againe, upon proofe thereof made, the said sale notwithstanding. 34.H.8.

Sale of stolen goods.

73 No person or persons shall bargain or buy any manner of beest, or other quick cattell in any place within Wales, out of the market or faire, unless he can bring forth sufficient and credible witnesses of the name of the person, what place, & time he bought the same, upon paine and danger of such punishment and fine, as shall be set upon him, by the said President and Council, or any of the said Justices in his Circuit, for the said offence, and as he will thereto answer at his further perill. 34.H.8.

No cattell shall be bought out of the market &c.

74 If any goods or cattels be stolen within the limits of any of the said Shires of Wales, then upon suit thereof had & made, the tract that be followed from Townshipp to Towneshipp, or Lordshipp to Lordshipp, according to the Lawes and customes in that behalfe heretofore used in Wales, upon such penaltie and danger, as heretofore hath bin accustomed. 34.H.8.

Pursuit after stolen goods.

75 The K. shall have all felons goods, and goods of persons outlawed, waife, straines, & all other forfeitures and escheats whatsoever they be, answered therof by the hands of the Sherifes: Having alwaies the rights & interests of everie of his subjects, having lawfull title to have the same. 34.H.8.

Escheats.

76 This Act of 34.H.8. or any thing therein contained, shall not be prejudicial to any person or persons, or bodies politick, for, or concerning any lands, tenements, rents, services, bondmen, tolls, or other hereditaments, but they & every of them, their heires, successors, and assignes, shall have and enjoy their lands, tenements, &c. in such like manner as they had the same before the making of this Act. 34.Hen.8.

Each persons inheritance saved.

77 All liberties, franchises, & privileges of the Duchie of Lancaster, or in any wise appertaining to the same, shall be of the same force, and condition, and may be used in as large and ample manner, as they were before the making of this act: any thing &c. notwithstanding. 34.H.8.

Liberties of the Duchie.

78 All actions reals that shall be commenced or sued for any lands, tenements, or hereditaments, or any other thing within the countie of Pembrokeshire, and all actions personals within the same shire, of the summe of cl.s. or above, and all actions mixt that be sued by original writ out of the Chancery in England, and heard, determined, and tried before the K. Justices in England by assise, or Nisi prius, within the said countie of Pembrokeshire, in such like manner, forme, and wise, as all other actions reals, personals, and actions mixt be sued, heard, determined, and tried, in, or for any shire of the realme of England. 27.H.8.26.

Actions sued in the countie of Pembrokeshire.

Wales.

Trial of Nisi prius in the Countie of Monmouth.

79 The Kings Justices of his Bench, or of the Common Bench at Westminster, have full power to direct all manner proces to the Sherife, & all other officers of the said countie of Monmouth, and also to direct writs of Venire facias to the same Sherife, for the triall of issue ioined befoze them, & also to award committions of Nisi prius into the said countie of Monmouth, for the triall of such issues ioined befoze them, in like maner and forme as they do into every shire of this realme of England. 27.H.8.26.

Inhabitants in Monmouth obedient to the Law & Magistrates of England.

80 All and every of the Kings subiects & inhabitants within the said Countie of Monmouth, be bound to be obedient & attendant to the L. Chancelor of England, the K. Justices, and other the K. most honozable Councell, & vnto all laws, customs, ordinaunces, and statutes of this realme of England, in like maner, forme, and wise, as all other the K. subiects within every shire of this realme of England be bound. 27.H.8.26.

Of what things the Sherife of Monmouth shall hold plea. The Sherifs Coroners, & Escheatozs due tie.

81 The Sherife of the said countie, shall hold plea of Replegiare, & all other suits and plaints vnder r.l.s. in his countie or shire court, in like maner & forme, as all other Sherifs do within this realme of England. 27.H.8.26.

82 The Sherife, Escheatozs, and Coroners that be within the said Countie of Monmouth, be bound to execute all the Kings proces, and to make due returnes therof, & to vse and exercise their offices, according to the laws and statutes of this realme of England, in all and euerie thing, as the Sherifes, Escheatozs, and Coroners be bound to doe in all and euerie other shire of this realme of England. 27.H.8.26.

The Sherifs & Escheatozs accompt.

83 The Sherife and Escheatozs of the said shire of Monmouth that shall bee appointed by the King, shall make their accompts of their said offices in the Exchequer in England, in like maner and forme, as other Sherifs and Escheatozs do within this realme of England, and vpon such like pains and penalties, as is vpon other Sherifs & Escheatozs in euerie other shire within this realme of England. 27.H.8.26.

Two knights and one burgesse for the parliament for Monmouth.

84 For all Parliaments to be holden for this Realme, two Knights shall bee chosen to the same Parliament for the shire of Monmouth, and one Burgesse for the Bozough of Monmouth, in like maner, forme, and order, as other Knights and Burgesse of the Parliament be elected in all other shires of England, and the same Knights and Burgesse shall haue like dignitie, preheminence, and privilege, and shall be allowed such fees, as other knights and burgesse of the Parliament haue bin allowed: And the Knights fees shall be leuied, perceined, receiued, gathered, and paid, in such maner, forme, & order, as such fees be gathered &c. in other shires of this realme of England, and the Burgesse fees shall be leuied aswel within the bozough of Monmouth, as within all other aunient bozoughes within the said shire of Monmouth. 27.H.8.26.

Haverford West.

85 The kings high Justice of the Countie of Pembroke, shall bee high Justice of the Countie and Towne of Haverford West, and shall haue like authoritie to and for the ministracion of Justice within the said Countie and Towne of Haverford West, as is appointed to the said Justice, to and for the administracion of Justice in the said Countie of Pembroke. And the Maior, Sherife, Bailife, and Burgesse of the said Countie and Towne of Haverford West, from time to time shall be aswell attendant, and obey all precepts and commaundements of the President and Councell of the King in his Marches of Wales, and also shall be attendant to all precepts & proces awarded or directed by the said high Justice vnto the Sherife of the said Countie & Towne of Haverford West, and to make returne therof, and the said Sherife of the said Countie and Towne shall serue all precepts and proces directed from the said high Justice, in like maner and forme, as the Sherife of the said Countie of Pembroke is bound to do, and according to the effect & purpose.

pozt of the R. ordinances in that behalfe had, made, and provided. And it shall bee lawfull vnto the said Maior, Sherife, Bailife, and Burgesles of the said countie and Towne of Haverford West aforesaid, to vse and exercise all lawfull liberties and graunts by H. 8. of his progenitozs to them granted and confirmed, at the R. pleasure, according to the Lawes of this Realme of England, and not otherwise. And the Iudiciall seale of the said Shires of Pembroke, Carmarthen, and Cardigan, being in the custodie of R. high Justice there for the time being, shall be used in the said Countie and Towne of Haverford West, as the originall and Iudiciall seale of the same Towne and Countie. And the said Justice of the said Shires of Pembroke, Carmarthen, and Cardigan, shall haue like authoritie by vertue of the R. letters Patents to him made, aswell to doe euery thing concerning common Justice to be ministred within the said Towne and Countie of Haverford West, as he hath in his said Letters Patents within any of the said Shires, of Pembroke, Carmarthen, and Cardigan. 34.H.8.

86 These Lordships, Townships, Parishes, Commotes, & Cantreds hereafter named, being Lordships Marchers, & sometime lying betweene the Shires of England & Wales: And all Honors, manors, lordships, castles, lands, tenements, and hereditaments, lying or being within the compasse or precinct of the said lordships, townships, hamelets, parishes, commotes, and cantreds, and euery of them, in whose possession soeuer they be, are guildable and taken as part and member of the Shire of Monmouth, viz. Monmouth the head & Shire Towne of the said countie, Chepstow, Patherne, Llanymhangell, Magour, Goldcliffe, Newport, Wlenlog, Llawerne, Caerlyon, Wike, Trelecke, Tinterne, Slingfreth, Grousmount, White castle, Kiegan, Calicot, Biston, Abergueny, Penrose, Gwenefeld, and Maghen, and Huchynade. 27.H.8.26.

Part of the Marches annexed vnto certain shires in England & Wales.

Monmouth.

87 These Lordships, Townships, &c. are guildable, and within the Shire of Radnor, viz. new Radnor, the head and Shire towne of the said countie, Clifherman, Cnelles, Boughred, Glasebury, Clawdistre, Pighellis Church, Peneleth, Blewagh, Knighton, Porton, Preston, Cozmothuder, Kayder, Gwethomiton, and Stanage. 27.H.8.26.

Radnor.

88 These Lordships, Townships, &c. are guildable, and within the Shire of Brecknock, viz. Brecknock the head and Shire Towne of the said Countie, Crekeholwel, Tretowre, Penkellep, English Talgarth, Welsh Talgarth, Dynas, the Hay Glynebogh, Bropulle, Cauteceley, Lando, Blainlinby, Cûretow, Bueleth, and Llangoys. 27.H.8.26.

Brecknock.

89 These Townes are guildable, and within the Shire of Mountgomerie, viz. Mountgomerie, the head & Shire towne of the said countie, Bedewenkery, Calwilland, Arnefely, Beuiliok, Doythur, Powellend, Clunelland, Balesley, Tempcestre, and Alcestre. 27.H.8.26.

Mountgomerie.

90 These Townes &c. are guildable, and within the Shire of Denbigh, viz. Denbigh land the head & Shire Towne of the same Countie, Rutbin, Saint Asse, Llynlethowen, Bromfeld, Pale, Chirke, and Chirkelant, Polesdale, & Hopeldale. 27.H.8.26.

Denbigh.

91 These Townships, &c. are guildable, and annexed to the County of Salop, viz. Avertannad, Oswestre, Whetington, Pasbroke, Knoking, which with their members shall be taken the Hundred of Oswestre, and Clefmer, annexed to the Hundred of Pimhill, and Dotone, and Cherburie, annexed to the Hundred of Cherburie. 27.H.8.26. 34.H.8.

Salop.

92 These Townships are guildable, & annexed to the County of Hereford, viz. Ewvas Lacy, called the Hundred of Ewvas Lacy, Ewvas Harold, annexed to the Hundred of Webtree, Clifford, Winfozton, Verdesley, Whitney, and Huntington, called the Hundred of Huntington, Weigmoze, Logharnes, the Hun-

Hereford.

Wales.

- dized of **Meigmoze** and **Stepulton**. 27.H.8.26.
- Gloucester.** 93 These Lordships are guildable, & annexed to the County of Gloucester, viz. **Wollaston**, **Tidnam**, **Bechley**, & all lands lying betweene **Chepstow** bridge in the **Marches of Wales**, & **Gloucester shire**, & in y^e **Hundred of Melebury**. 27.H.8.26.
- Glamozgan.** 94 These Lordships are guildable, and annexed to the Countie of Glamozgan, viz. **Gowerkilney**, **Bishops Towne**, **Landaff**, **Syngbinthe supra**, **Syngbinthe subrus**, **Piskin**, **Dgmoze**, **Glynerotheny**, **Tallagarne**, **Ruthien**, **Tallauan**, **Lanblethian**, **Lantwide**, **Tperiall**, **Auan**, **Pethe**, **Landwey**, and the **Clayes**. 27.H.8.26.
- Carmarthen.** 95 These Townes &c. are guildable, and within the Shire of Carmarthen, viz. **Lanemethe**, **Merie**, **Abermerleste**, **Bedwely**, **Ckenning**, **Coznewolthan**, **Pewca**, **Me**, **Emlyn**, **Abergolly**, and **Lanfiffan**, **Alsterlois**, **Langham**, parcel of the hundred of **Derlepy**. 27.H.8.26.
- Pembroke.** 96 These Townes are guildable, and within the shire of Pembroke, viz. **Bilgarran**, **Lanffestan**, **Langeharne**, otherwise called **Tellangharne**, **Malwincastle**, **Detwesland**, **Launehadein**, **Lanfey**, **Penbeth**, **Slebeiche**, **Kosmarket**, **Castielan**, **Londosfloure**. 27.H.8.26.
- Cardigan.** 97 These Townes &c. are guildable, and within the Shire of Cardigan, viz. **Tregaron**, **Genergin**, **Landway**, **Wteny**. 27.H.8.26.
- Flint.** 98 These Towns &c. are guildable, and within the Shire of Flint, viz. **Hoppe**, **Hawarden**, **Merford**, **Wley**, and **Polbeisale**, within the Hundred of **Polbeisale**, **Assaph**, within the hundred of **Kutland**. 33.H.8.13.
- Southway.** 99 The Lordships, Townes, and Parishes of Southway, and all lands, tenements, &c. within the compasse of the same, are guildable, and annexed to the countie of **Merioneth** in **Northwales**, as a commote, member, or part of the same. 27.H.8.26.
- Merioneth.** 100 The Towne of **Bedwely** within the Parish of **Ribelsford** in the Countie of **Wigorne**, and all the ground and soyle of the same Towne, is united, annexed, and made parcell of the Countie of **Wigorne**, & within the Hundred of **Dodingtree**: And the Inhabitants of the said Towne and Parish shal be attendant, and do euerie thing with the Inhabitants of the said Hundred. Sauing to the Bargesles and Inhabitants of the said Towne of **Bedwely**, all such liberties and franchises, as they lawfully had and exercised in the same Towne, befoze the making of this act. 34.H.8.
- Appearance & attendance at Courts.** 101 All and singular person and persons, dwelling or resiant within **Wales**, or in the Lordships Marches of the same, at all times vpon such mention or warning giuen for the Court to be kept in **Wales**, or in any of the Lordships Marches, as befoze time hath beene vsed, shall personally appeare befoze the Justice, Steward, Lieutenant, or other Officer, at all & enerie Sessions, Court & Courts, to be holden befoze the same Justice, Steward, or other Officer, in any whatsoener place within **Wales**, or within the precinct, limits, and iurisdicions of euery of the Lordships Marches, or Seignories aforesaid, or the Marches of the same, as by the said Justice, Steward, or other Officers shalbe appointed, and then & there shal giue his & there personall attendance, to doe euery thing which to him or them shall appertaine, vpon paine of such fines, forfeitures, and amerciaments, as shall bee assessed by the Steward, Justice, or other Officer, to the h. use, if it be within any of the h. Lordships Marches, and if it be within any other Lordships Marches, then to the use of the Lord of the said Lordship Marcher for the time being. The said forfeitures and amerciaments to be leuied by way of distress, of the goods & chattels of euerie person, not appearing at the said court or courts, or not doing his dutie, as is abovesaid. 26.H.8.6.
- 102 If the Steward, Lieutenant, or any other Officer of any Lordship Marcher

cher in Wales, doe saine, procure, or imagen any untrue surmise, against any person or persons that shall so give their personall attendance before them at such Court or Courts, where they have rule, or authoritie, and upon the same untrue surmise, commit them to any durells, or imprisonment, contrarie to the Law, or contrarie to the true & laudable custome of that Lordship: Then upon suit made unto the Kings Commissioners, or Councell of the Marches, for the time being, by any such person or persons so imprisoned, or by any of their friends, the same Commissioners or Councell shall have full power to send for such Detour, Lieutenant, or Officer, and also for the person or persons so imprisoned, and if the same person or persons so imprisoned, can evidently prove before the said Councell, by good and substantiall witnesses, or otherwise, that his imprisonment was upon any fained surmise, without cause reasonable, or lawfull, then the same Commissioners shall have full power to assesse the said Officer to pay to the said person or persons wrongfully imprisoned by s. big. s. for every day of their imprisonment, or more, by the discretion of the said Commissioners, according to the hurt and behaviour of the person or persons imprisoned, and the same Commissioners shall set further fine upon the said Officer, to be paid to the R. use, as by their discretions shall be thought convenient. And in case the same Officers doe refuse to appeare before the same Commissioners incontinent after any commandment to them directed, and delivered, after any such complaint made to the same Commissioners: Then the same Commissioners shall have full power upon every default made by any officer or officers, to assesse and set upon everie such officer or officers, making default, such fine or fines, to be lent to the R. use, as by their discretions shall be thought convenient. And the same Commissioners shall have full power to compell the said officer or officers, by way of imprisonment as well to pay such fine, as shall be taxed upon them to the R. use, as to pay unto every person or persons so imprisoned, such sums of money, as they shall be assessed to pay for their wrong imprisonment. 26.H.8.6.

103 No person dwelling or resident within Wales, or the Lordships Marches of the same, of what estate, degree, or condition soever he be, coming or repairing unto any Sessions or Court to be holden within Wales, or any Lordships Marches of the same, shall bring, or beare, or cause to be brought, or bozne, to the same Sessions or Court, or to any place within the distance of two miles from the same Sessions or Court, nor to any Towne, Church, Faire, or Market, or other congregation (except it be upon a hue or outcrie made of any felonie, or robberte done) nor in the high waies, in affray of the R. peace, or the R. liege people, any bill, long bow, crossbow, handgun, sword, staffe, dagger, halberd, morispike, speare, or any other manner of weapon, pziule coat, or armour defensible, upon paine of forfeiture of the same weapon, pziule coat, or armour, & to suffer imprisonment, & make fine and ransome to the R. by the discretion of the R. Commissioners of his marches, for the time being, except it be by the commandment, licence, or assent of the said Justices, Detour, or other Officer, or of the Commissioners, or Councell of the marches for the time being. 26.H.8.6. 4.H.4.27.S. Armour 9.

104 No person or persons without licence of the said commissioners in writing, shall within Wales, or the Marches of the same, or in any Shires adjoining to the same, require, procure, gather, or lewie any Commonoth, Wicake, tenants ale, or other collection or exaction of goods, cattels, money, or any other thing, under colour of marrying, or for redemption of any Warder, or any other felonie, or for any other manner of cause, by what name soever they shall be called. Noz shall make, or procure to be made any Games of running, wrestling, leaping, or any other Games (the game of shooting onely except) upon paine of one whole yeares imprisonment of everie person or persons, as shall gather, or procure to be gathered

In officer imprisoning one upon an untrue surmise.

No weapon shall be brought to Courts, Faires, or Churches.

Gathering commonoths, exactions, &c.

Procuring of Games.

Wales.

thered, any such collection, or exaction, or shall make, or procure to be made, any Games, as is aforesaid. And further, they and everie of them shall make such fine, as by the discretion of the R. Commissioners of his Marches shall be thought convenient. And the said Commissioners shall have power to heare & determine the said offences by their examination. 26.H.8.9.

Arthel.

105 No person or persons shall at any time cast any thing into any Court with, in Wales, or in the Lordships Marches of the same, by the meane or name of any Arthel, by reason whereof the Court may be letted, disturbed, or discontinued for that time, upon paine of one whole yeares imprisonment of any such person or persons, as shall cast, or cause to be cast any such Arthel into any court or courts to bee holden within Wales, or the Lordships Marches of the same: Any custome &c. notwithstanding. 26.H.8.6.

where Sessions shall be kept.

106 All Sessions and courts to be holden within Wales, or the Lordships marches of the same, shall be kept within the most surest and peaceable place within the same Lordship Marcher, where the said Justice, Steward, or other Officer shall appoint. 26.H.8.6.

Inquire in the Counties adjoining, of offences committed within the Lordships Marchers.

107 The Justices of the Gaole delivrie, and of the Peace, and everie of them for the time being, in the Shire or Shires of England, where the R. writ runneth, next adjoining to the Lordship Marcher, or other places in Wales, where any counterfeiting, washing, clipping, or minishing of any Coyne currant within this realme, or murder, shall be committed or done, or where any other Felonies or accessories shall be committed, have authoritie at their Sessions and Gaole delivrie, to inquire by verdict of ry. men of the same Shire or Shires next adjoining, within England, where the Kings writ runneth, there to cause all such counterfeiteres washers, clippers of money, felons, murderers, and accessories to the same, to be indicted, according to the Lawes of this land, in like manner, as if the same petty treasons, murders, felonies, and accessories to the same, had bin committed within any of the said Shires, within the said Realme, and also to heare, determine, and iudge the same, according to the Lawes of this Realme. And all foreign places, pleaded by any of the said offenders, shall bee tried and determined in the same Shire, or Shires. And the acquittal or fine making for any of the causes aforesaid, in any of the Lordships Marchers, shall be no barre for any person or persons, being indicted in the said Shire or Shires, within two yerres next after any such murder or felony done. 26.H.8.6.

Foreign places.

Acquittal in Lordships Marchers no barre.

Proces of outlawrie against persons indicted.

108 The said Just. of P. and Gaole delivrie, and everie of them, have authoritie to award all maner of Proces, as well of Outlawrie, as otherwise, against all and everie such offender and offenders, so indicted, in maner and forme, and according to the customes and Lawes used within this Realme of England. And the said Justices, or two of them, before whom any such offender shall happen to bee outlawed, or attainted by vtlagarie, shall immediatly upon the same vtlagarie, or attainder, direct and send unto the R. Officers of his Lordships Marchers, or to their deputie, or unto the Lord or Lords Marchers of the same Lordship Marcher, or to his, or their officer or officers, or to their deputies, wherein such offence, murder, or felonie shall happen to be done, or where any such offender, murderer, or felon shall happen to be resiant, a certificat vnder the seales of them, or two of them, of any such vtlagarie, or attainder, commanding them, and every of them by the same, vnder paine of forfeiture of a hundred pounds to the King, to bee leuied and perceined aswell of the goods, cattels, lands, and tenements, of the same Lord or Lords Marchers, as of the goods, and cattels, lands, and tenements, of the Kings officer there, to apprehend and attach, or cause to bee apprehended and attached, the bodie or bodies of the same offender or offenders so outlawed or attainted, and safely to keepe, or cause to be kept, the same offender or offenders, till such convenient

Certificat of outlawrie.

nient time, before the next Sessions of the Kings Justices of his Gaole deliuerie, of the Shire where such offendour or offendours shall happen to be outlawed or attainted, as to the Kings officer of his Lordships Marchers, or to their deputies, or unto the Lord Marcher, or Lords Marchers of the same Lordship Marcher; or to his or their officer or officers, or their deputies, where such offendour or offendours shall happen to be apprehended, attached, detained, and kept, shall be thought expedient for the conueiance and conduction of the same offendour or offendours, in manner and forme following, to be deliuered from the Kings officers, or their deputies, or the Lord marcher, or the Lords marchers, or his or their officer or officers, to other persons assigned by this Act, to receiue and conuey such offendour or offendours by Indenture to be made between the deliuerer or deliuerers, and the receiver or receivers: that is to say, The Kings officers of his Lordship Marcher, or their deputies, or the Lord or Lords Marchers of the Lordship Marcher, or his, or their officer or officers, or their deputies, where such offendour or offendours shall be apprehended, attached, detained and kept, shall safely conduct and conuey, or cause to be conducted and conueyed the same offendour or offendours to the next Lordship marcher, toward the Shire where the same offendour or offendours shall happen to be outlawed or attainted. And the Kings officers of the same Lordship Marcher, or their deputies, or the Lord or Lords Marchers of the same Lordship Marcher, or his or their officer or officers, or their deputies, shall receiue and safely conuey the same offendour or offendours to the next Lordship Marcher. And to the Kings officers of euery Lordship marcher, or their deputies, or the Lord or Lords Marchers of the same Lordship, or his or their officer or officers, or their deputies, to receiue and conuey safely euerie such offendour or offendours, from one Lordship Marcher, to another Lordship marcher by Indenture, as is aforesaid, unto the time that such offendour or offendours shall be safely deliuered before the said Just. of the Gaole deliuerie, upon paine of forfeiture by euery of the Kings officers, or Lord Marcher (by whose default the same offendour or offendours shall, he may not appeare, before the same Justices at their said Sessions, there to stand and abide the order of the Kings Lawes) C. P. to be leuied and perceiued of the goods and cattels, lands and tenements, of the same officer, or Lord, to the Kings use. And all and euery officer and officers, Lord and Lords, or other persons to whom any certificat shall be directed, as is abovesaid, shall at the next sessions and Gaole deliuerie, to be holden after the apprehension or attachment of such offendour or offendours, returne the same certificat in due forme, and what he or they haue done in that behalfe, upon the paine aforesaid. Saving alway to all and euerie offendour or offendours, all and singular trauesles, challenges, exceptions, aduantages, and all other pleas, to, of, and upon the outlawrie pronounced against the same offendour or offendours, in manner and forme, as is, and hath bene used by the Lawes of this Realme, for anie the Kings subiects dwelling within the same Realme. 26.H.8.6.

109 This Act shall not extend to abridge or depriue any liberties, priuiledge, or authoritie of any Lord Marcher, heretofore graunted to the same Lord, or lawfully used or accustomed by the said Lord, or anie of his aunccestors, vntill the aforesaid offendours happen to be indicted, outlawed, arraigned, convicted, or attainted, by force of this Act, as is abovesaid, within two yeares next after such murder, or other felonious offence, committed within the said Lordship Marchers, or any of them: Any thing in this act &c. notwithstanding. 26.H.8.6. Q. whether the use of these iiii. branches, viz. 107. 108. 109. 111. be taken away by the annexing of the Lordships Marchers to certaine counties in England and Wales.

110 All Murders, Robberies, Felonies, and accessaries to the same, which shall happen to be committed within the Shire of Merioneth in Wales, shall and may be inquired, heard and determined in the Courts of Carnaruan, or Anglesey, before the

Conueiance
of offendours
from one Lord
ship marcher
to another.

Returne of
the Certificat

Returne of
the Certificat

All aduanta-
ges saved to
the offendours.

No liberties
of any Lord
marcher a-
bridged.

Felonies
committed in
Merioneth.

Wales.

the Kings Iustices of Northwales, or their deputie, for the time being, by verdict or Enquest to be taken by the Inhabitants of the same Shires of Carnarvan, and Anglesey, or otherwise, if by discretion of the Justice there, or his deputie, it shall be thought convenient. And the same Justice, or his deputie for the time being, shall haue full power by his discretion by force of this act, to heare and determine all and euerie the foresaid murders, felonies, robberies, and accessories in some alsoe said. 26. H. 8. 6. But see the Statute 34. H. 8. that the foresaid Act, and euerie article therein contained shall take effect and be executed in all points, for and concerning any of the said offences done within the countie of Merioneth, to be inquired of, heard and determined within the countie of Salop, in like maner and some as commonly is and hath bin used for any of the same or like offences committed within any other countie or place of Southwales.

where, and to
whom any of-
fendoe shall be
committed.

III Euerie officer and officers, and their deputies, upon commandement given by the Commissioners or Councell of the Marches for the time being, shall bying, send, or deliver euerie offendoe (which doth commit any murder, robberie, or felonie, within the Lordships marchers of Wales, or in other places of Wales, without the same Lordships marchers, and doth flee and escape from the same Lordship, or other place, where such offence was committed, and repaireth into another Lordship marcher) to the officer of the Lordship marcher, or other place, where anie such offence shall be committed or done upon the metes and bounds of the said Lordships, or to the said commissioners or councell, according as the said officers by them shall be commanded, under paine of vi. l. the same commandement or commission to be directed to any such officer to be sent, conveyed, and delivered by a Sergeant at Armes, or Pursuant attendant on the said Councell in the Marches, for the time being. 26. H. 8. 6. Q Whether the annexing of Lordships marchers to counties doth abrogate the force of this branch.

Exactions ta-
ken in for-
rests in Wales

III 2 All such vnlawfull customes, as have bene used in senerall forests in Wales, and the Marches of the same (for the taking of vnlawfull exactions of anie of the Kings subiects, which passe, go, or ride through or in any way or path of anie of the said Forests, not having upon him a token delivered vnto him by the chiefe Foresters, Rulers, or Farmers: or to take any such money and gold, as shall be found upon him which is taken by the space of viiij. foot out of the high way in any of the said forests, or to cause the same person so taken out of the high way, to loose a joint of one of his hands, or to make fine therfore with the foresters, rulers &c. at their will and pleasure: or for any Foresters, Rulers, walkers, or farmers, vnlawfully to seise and take any beasts or quick cattell, and to mark them with the marke of their forests, which doe happen to come, goe, or escape into anie of the said forests, by stray, or thafe stolen, or other wise) shall be determined, void, and had for nought, throughout all and euerie of the said Forests within Wales, and the marches of the same. And it shall be lawfull to all and euerie of the Kings true subiects, and all other person and persons being in league and amitie with the King, his heires and successors, Kings or Queenes of Engl. freely, quietly, and in peace to passe and repasse, trauaile and goe into and throughout the said Forests, and euerie of them, both on horsebacke and on foot, as well following and driving of cattell, as with carrying of wares, or otherwise about their lawfull businesse and affaires, without any fine, forfeiture, toll, custome, exaction, or other imposition to be taken, exacted, or demanded of them, or any of them, by the said Foresters, Rulers, walkers, farmers, or their assignes: and if it shall chauce anie of the said foresters, rulers &c. at any time to take anie person or persons, being the Kings true subiects, or otherwise in league and amitie with our Soueraigne Lord, his heires or successors, Kings or Queenes of England, as is aforesaid, and exact and take of them, or of anie of them, anie of the said forfeitures, fines, tolles, customes, or exactions,

erations, as is aboue mentioned, and be thereof lawfully convicted: Then he oꝝ they so doing and offending contrarie to this Act, to incurre and stand in daunger of the Statute heretofore pꝛouided foꝝ robberies by the Kings high way, and the same to be tried befoꝝe the Just. of the P. in the next shire adioynant, according to the Law of this Realme of England. 27.H.8.7.

23 H.8.1, See
Clergie 13.

113 If any maner of beast oꝝ quicke cattell of any of the Kings true subiects, oꝝ other the K. friends, at anie time doe come into any of the said foꝛrests by strapes, theſe stolen, oꝝ otherwise, and there be marked and seiſed of any of the said foꝛresters, rulers, walkers, farmers, oꝝ their assignes, oꝝ any of them, and the owner oꝝ owners of the same cattell, within anie one yeare and a day then next ensuing, chance to find the said cattell so taken, and lawfully pꝛoue the same to be his oꝝ their owne proper cattell, then the same cattell shall be redeliuered to the owner oꝝ owners thereof, according to the auncient law of this realme of England, the said owner oꝝ owners reasonably paying foꝝ the keeping of such cattell, after the rate of the time that such cattell shall haue bin in the custodie of any such foꝛresters, rulers, &c. oꝝ his oꝝ their assignes, in such maner and foꝛme, as heretofore hath bin in like case bled to be done by the owners within a yeare and a day next after the seiſing of the same cattell. And if any of the said foꝛresters, rulers, &c. oꝝ their assignes doe denie the deliuerance of any such cattell, by them oꝝ any of them so seiſed oꝝ marked with in any of the said foꝛrests, after the owner and owners of them, shall haue duly and lawfully pꝛoued them to be his oꝝ their owne proper goods oꝝ cattells, as is afoꝛe said: Then euery such foꝛrester, ruler, walker, farmer, oꝝ their assignes so doing and offending contrarie to this Act, shall foꝛfeit and pay vnto the party griened, the double value of all such cattell, as shall be so taken and marked, and not deliuered to the owner oꝝ owners, as is afoꝛe said. And the party griened may haue his action of Detinue at the common law, of and foꝝ the same cattell against euerie such offender oꝝ offenders, and the same to be tried in the next shire adioynant, wherein no W. C. P. &c. And like pꝛoces of outlawrie shall be had and made in the said action of Detinue in the next shire adioynant against euerie foꝛrester, ruler, &c. oꝝ their assignes so offending contrarie to the tenoꝝ of this Act, as in an action of trespass at the common law of this Realme is bled. 27.H.8.7.

Redeliuery of
strapes oꝝ
theſe stole
goods.

114 Foꝛthwith vpon the charge giuen to any enquest to be taken and swozne befoꝛe any Justices, Steward, Lieutenant, oꝝ other officer within Wales, oꝝ the marches of the same, of, foꝝ, and vpon any traueserſe against the King, oꝝ the trial of anie Recognisance broken, oꝝ any other foꝛseiture foꝛseited to the King, oꝝ of, foꝝ and vpon the trial of any murderer, felon, oꝝ accessarie of felonie oꝝ murder: one officer oꝝ other person shall be deputed, and swozne in the pꝛesence of the said Justiciar, oꝝ other officer, foꝝ the true and diligent keeping of the same Juroꝝs. And the same officer oꝝ other person so swozne, without the speciall commaundement of the said Justiciar, oꝝ other officer, shall not doe, noꝝ suffer to be ministred to the same Juroꝝs, anie bread, drinke, oꝝ meate, fire oꝝ light, noꝝ shall suffer the same Juroꝝs to speake to any person oꝝ persons, noꝝ the same Officer oꝝ other person swozne, without the commaundement afoꝛe said, shall speake to the said Juroꝝs, but only to demand of them of their agrement, vntill such time as the same Juroꝝs shall haue giuen their verdict, any bſage oꝝ custome heretofore bled to the contrarie notwithstanding. And if the same officer oꝝ other person so swozne in foꝛme afoꝛe said, doe not execute and accomplish the pꝛemises in the oath befoꝛe rehearsed, in euerie point and article: Then he shall be punished and imprisoned, and make fine and ransome to the King, by the discretion of the said Justiciar, Steward, Lieutenant, oꝝ other officer. 26.H.8.4.

A Bailly foꝝ
the keeping of a
Jurie.

115 If the same Juroꝝs doe acquit any such felon, murderer, oꝝ accessarie, vntill then
vpon whose trial they shall be charged, oꝝ giue any vnttrue verdict against the
King

Wales.

King upon the trial of any Trauers, Recognizance, or other forfeiture, contrarie to the good and pregnant evidence ministred to them by persons swozne befoze the said Iusticiar, Steward, Lieutenant, or other officer, or that the said Iurozs, or anie of them doe eate, drinke, or speake, to, or with any person or persons, then to such as be swozne with them, or otherwise misdemeane themselves, after they be swozne, and befoze they haue giuen their verdict, then the Lord President, or other the Councell of the Marches for the time being, upon notice or complaint thereof to be made, shall not onely haue authoritie to call such Iurozs befoze them, but also the same Iusticiar, Steward, or other officers afoze whom any such acquittall, vntrue verdict, or misdemeanours shall happen to be made, shall haue full power to compell such Iurozs and euerie of them, upon paine of imprisonment, to be bounden by Recognizance in a certaine summe of money, by their discretion to bee limited, that the same Iurozs and euerie of them, shall personally appeare at a certaine day by the same Iusticiar, Steward, or other officer to be limited, befoze the Lord President, and other of the Councell aforesaid, for the time being, then and there to abide and stand to such direction and order, as the same Councell shall make, ordaine, and decree, of, in, and upon the same. And the same Councell shall thereupon haue authoritie by examination or otherwise, to heare and determine all and euerie such cause, and shall haue like authoritie to commit euerie of the same Iurozs to prison, or other punishment, as shall be thought mete by the discretion of the said Councell, or otherwise assele or take euerie such Iuroz to his fine or ransome by the same discretion, to be paid and leuied of their lands, goods, and cattels to the vse of the King. 26. H. 8. 4.

**A Burgesse
for Haerford
welsh.**

116 The towne of Haerford welsh shall for euer find one Burgesse for the said towne at euerie Parliament, to be holden in England, and the charges of the same Burgesse shall be alwayes borne by the Paioz, Burgesse, and inhabitants of the said towne, and none other. 34. H. 8.

**Knights and
Burgesses
for the Parli-
ament.**

117 For all Parliaments, to be holden for this Realme, one Knight shall be chosen to the same Parliaments for euerie of the shires of Bercknorch, Radnor, Pountgomery, and Denbigh, and for euerie other shire within the said country of Wales, and for euerie Bozough being a shire towne within the said country of Wales, one Burgesse (except the shire towne of the countie of Merioneth) and the election to be in like manner, forme, and order, as Knights and Burgesses of the Parliament be elected in other shires of this Realme (and to be named and chosen by the authoritie of the Kings writ, vnder the great seale of England, 34. H. 8.) and the Knights and Burgesses, and euerie of them shall haue like dignitie, preheminance, & priuiledge, and shall be allowed such fees, as other Knights of the Parliament haue and be allowed, and the Knights fee shall be leuied of the commons of the shire that they be elected in, and the Burgesses fee shall be leuied, and gathered as well of the Bozoughs, and shire townes that they be Burgesses of, as of all other auncient Bozoughs within the same shire. 27. H. 8. 26.

**The wages
of knights of
the parliamēt.**

118 The Sherifes for the time being of euerie of the twelue shires in Wales, and in the countie of Pountmouth, haue authoritie to gather, and leuie, or cause to be gathered, or leuied the knights fees or wages of the inhabitants of the xij. shires, and of the said countie of Pountmouth, which ought to pay the same, and the same so gathered shall pay, or cause to be paid to euerie such knight or knights, or to his or their assignes, within two moneths next after such knight or knights shall deliuer or cause to be deliuered the Kings Writ De solutione feodi Militis Parliamenti to any such Sherife, and euerie such Sherife making default of payment of the fee or wages in maner and forme aforesaid, shall forfeit to the king and J. rr. p. and if any Sherife in any of the said xij. shires and countie shall make default of payment of the said wages &c. by a longer time then two moneths, then he shall forfeit for euerie moneth

moneth that he shall make default xx. l. to be for. and leuied in maner and forme aforesaid. 35. H. 8. 11.

119 Euerie Shire and Bayliffe, and other head officers of cities, boroughs, and townes in euerie of the said shires, and countie of Penmouth, within like space of two moneths after the receipt of the Kings writ De solutione &c. shall leuie, gather and pay the wages and fees of their Burgeses, in maner and forme aforesaid, and in and vnder like paines and forfeitures, as is befoze mentioned, to be leuied of the goods and cattels of euerie such Shire, Bayliffe, and other head Officers (to whom the Kings said writ shall be directed for the leuying of such fees) making default of paiement of the same to the Burgeses &c. 35. H. 8. 11.

The wages of Burgeses of the Parliament.

120 Because the Inhabitants of all Cities and Boroughs in euerie of the twelve Shires in Wales, and in the countie of Penmouth, not finding Burgeses for the Parliament themselves, must beare and pay the Burgeses wages within the Shire Townes of, and in euerie the said twelve Shires and Counties: the Burgeses of euerie of the said Cities, Boroughs and Townes, which be contributory to the paiement of the Burgeses wages of the said Shire Townes, shall be lawfully admonished by Proclamation, or otherwise by the Shires, Bayliffes, or other head Officers of the said Townes, or by one of them, to come and to giue their elections for the electing of the said Burgeses, at such time and place lawful and reasonable, as shall be assigned for the same intent, by the said Shires, Bayliffes &c. of the said Shire Townes, or by one of them, in which election the Burgeses shall haue like voice and authoritie to elect, name, and chuse the Burgeses of euerie of the said Shire townes, in such maner as the Burgeses of the said Shire townes haue, or vse. 35. H. 8. 11.

By whom Burgeses of the parliament shall be chosen.

121 Two Just. of Peace in euerie Shire in Wales, and in the countie of Penmouth, haue authoritie indifferently to lot and tare euerie citie, borough, and towne within the said Shires and Countie wherein they do inhabite, for the portions and rates that euerie of the said cities and boroughs shall beare and pay towards the burgeses within the said Shire townes of euerie of the said Shires & counties, which rates so rated and tared in grosse by the said two Justices, shall be againe rated and tared on the inhabitants of euerie of the said cities and boroughs by foure or five discreet and substantiall burgeses of euerie of the said cities & boroughs in Wales thereunto named and assigned by the Shires, Bayliffes, or other head officers of the said cities, townes and boroughs for the time being, and therupon the Shires, Bayliffes &c. of euerie such citie, borough, &c. shall gather the same, and thereof make payment to the Burgeses of the parliament, within like time, and vpon like pains and forfeiture as is aforesaid. 35. H. 8. 11.

Rating of boroughs for the Burgeses wages.

122 Because Lords Marchers in times past haue vied to put their tenants within the Lordships Marchers, vnder common mainprise and suertie of appurance, and haue had the forfeiture thereof (which for ever shall utterly cease and determine. 27. H. 8. 26.) Therefore aswell the Queenes spirituall and ecclesiasticall subiects, Lords marchers, hauing Lordships marchers, or Lordships royall in Wales, and their successours, and the successours of euerie of them, as also the heires and successours of the Lords tempozall marchers within their Lordships marchers and Lordships royall in the Dominion or Principallitie of Wales, shall haue and enioy to them and to their heires and successours respectiuelly and seuerally for ever, the moitie and halfe of euerie forfeiture of all and euerie common mainprise, recognisance for the Peace, or apparance forfeited by anie their tenants, inhabiting within any of their Lordships marchers, or Lordships royall, and they to be paid the same moitie by the hands of the Sherifes of euerie of the said Counties where such forfeiture shall be, if the Sherife can leuie the same, and the same Sherife to accompt to the Queene for the other moitie, and farther shall haue all such mises and

Lords Marchers tenants vnder common mainprise.

Lords marchers shall haue the moitie of the forfeiture of their tenants.

Wales.

and profits of their tenants as the Lords marchers spirituell or temporall respectively or severally, had, or vled to haue, at their first entrie into their Lands in times past, befoze the making of the said statute of 27. H. 8. and also shall haue, hold, and keep within the precinct of their said Lordships, all such court Barons, courts Leet, and Alwdayes, and all and euerie thing and things to the same courts belonging, and also shall haue within the precinct of their said severall Lordships or Alwdayes, all such wayfe, straie, infangthefe, outfangthefe, treasure trove, deodands, goods and cattels of felons, and of persons condemned or outlawes of felons or murder, or put in exigent for felonie or murder, and also all such wrecke de mere, wharfage and customes of strangers, as the Lords marchers, spirituell and temporall respectively and severally had and vled in times past befoze the making of the said statute of 27. H. 8. 1. & 2. P. & M. 15.

L. Marchers
shall retain
their priu-
ledges.

Subsidies.

123 The tenants and tenants in Wales shall pay their tallage at the charge of their Lords, in such places & after such forme as hath bin accustomed in Wales. 34. H. 8.

Tallage.

124 All the Kings subiects and tenants in Wales shall be charged and chargeable to all subsidies, and other charges to be granted by the commons of any Parliament holden in England, and shall pay all other rents, farmes, customes, and duties to the King as they haue bin accustomed (fines for redemption of sessions only except.) 14. H. 8.

**The Bible &
booke of Com-
mon Prayer**
translated into
the welch
tongue.

125 The Bishops of Hereford, S. Davies, Asaph, Bangor, and Landaff, and their successors, shall take such order amongst themselves for the soules health of the flockes committed to their charge within Wales, that the whole Bible, containing the New Testament and the old, with the Booke of Common prayer, and administration of the Sacraments, as is now vled within the Realme in English, to be truly and exactly translated into the British or Welch tongue, and that the same so translated, being by them viewed, perused, and allowed, be imprinted to such number at the least, that one of either sort may be had for euerie Cathedraall, collegiat, and parish Church and Chappell of ease, in such places and countries of euerie of the said Diocesses where that tongue is commonly spoken or vled, befoze the first day of March, Anno Dom. 1566. And that from that day forth, the whole diuine service shall be vled and said by the curats and ministers throughout all the said Diocesses where the Welch tongue is commonly vled, in the said British or Welch tongue, in such manner and forme as is now vled in the English tongue, and differing nothing in any order or forme from the English booke. For the which bookes so imprinted, the parishioners of euerie of the said parishes, shall pay the one halfe or moitie, and the Parson and Vicar of euerie of the said parishes (where both be) or else the one of them, where there is but one, shall pay the other halfe or moitie. The prices of which bookes shall be appointed and rated by the said Bishops, and their successors, or by thre of them at the least. The which things if the said Bishops, or their successors neglect to doe, then euerie one of them shall forfeit to the Queenes Maestie, her heires and successors, the summe of xl. l. to be leuied of their goods and cattels. 5. Eliz. 28.

**A Bible and
booke of Com-
mon prayer in
English, shall
be in euerie
Church in
Wales.**

126 And one Booke containing the Bible, and one other Booke of Common Prayer in the English tongue, shall be bought and had in euery Church throughout Wales, in which the Bible and Booke of Common Prayer in Welch is to be had by force of this act (if there be none already befoze the first day of March 1566.) and the same bookes to remaine in such conuenient places, within the said Churches, that such as vnderstand them may resort at all conuenient times to read and peruse the same. And also such as do not vnderstand the said language, may by conferring both tongues together, the sooner attaine to the knowledge of the English tongue. Any thing in this act &c. notwithstanding. 5. El. 28. in a stat. not imprinted.

In the time of king H. the 4. it was provided by severall statutes, that no Welchman (except he were a Bishop, or a temporall Lord) should have a castle, fortress, or house defensive of his owne, but such as had bin vsed in the time of king Ed. the Conqueror of Wales, nor that any Welchmen should be made Iustice, Chancellor, Chamberlaine, Treasurer, Sherife, Steward, Constable of Castle, chiefe foster, nor other officer, nor Lieutenant, in any of the said offices in any part of Wales, nor of Council with any English Lord (Bishops and such as were tried faithfull and obedient subiects except) nor that any Englishman married to any Welchwoman, should be put in any office in Wales, nor should haue any franchises with English Burgesles, nor that any person should carrie any victuall or armour into Wales, without the King or Councils licence, sauing to store the English castles and towns, nor that any Englishman should be conuict by any Welchman in any court in Wales, but by Englishmen of the next venue, and of good fame, nor that any Welchman should purchase any Land in England, or in English townes in Wales, nor should be Burgesse, or haue any other libertie within any of them. But it seemeth that the force of those statutes is taken away by the stat. of 27. H. 8. 26. Therfore see the first branch of this tiele &c. & Quere.

Quere.

- 1 For exigents and other proces for and against any persons dwelling in Wales. S. Exigents 6.9.
- 2 Sherifs in Wales shall haue deputies in the Kings Bench and Common place. S. Exigent 7.8.
- 3 A Tales de Circumstantibus is to bee graunted in the xij. shires in Wales. S. Iurors 23.
- 4 The act provided for Tanners, Curriers, Shoemakers, &c. shall be construed to extend to Wales, as ampie as it doth to England. S. Leather 47.
- 5 In what sort Mortuaries shall be paid in Wales and the Marches. S. Mortuaries 5.
- 6 For the triall of Treasons and misprision of Treason committed in Wales, or the Marches therof. S. Treason 12.
- 7 For money paid in Wales for the redemption of forfeitures. S. Rents 1.
- 8 For the authority of commissioners of Sewers in the countie of Glamorgan in Wales. S. Sewers 6.
- 9 For the inrolling of fines and recoueries in the xij. shires in Wales, and in the towne and countie of Hauerford West &c. S. Fines 31. &c. S. 5. El. 25.

Wards, Wardships, Mariage.

If any man doe enfeoffe his eldest sonne or heire, being within age, of his inheritance, that thereby the Lord might lose his wardship, yet notwithstanding such feoffement, the chiefe Lord shall haue his wardship. Marleb. 52. H. 3. 6.

2 If any person meaning to demise their lands for terme of certaine yeares, (that they might thereby defeat the Lords of the fee, of their wardships) wil saue false feoffements, containing that they are satisfied of the whole service due unto them untill a certaine terme, & that such feoffees are bound to pay at the said terme a great summe to the value of the same lands, or much above, so that after the same terme the land shall reuert to them or their heires, so that no man will desire to hold the same of so great a price, yet by such fraud no chief Lord shall lose his wardship. But it is not lawfull for such Lords to disseise the feoffees without iudgement thereupon given, but they shall haue a writ to haue the wardship deliuered unto them: & then it shall be tried by the witnesses named in the deed of feoffement, with other good and framen of the countie, by the quantity and value of the land, & the quantitie of the summe payable after the terme, whether such feoffement, were

A tenant in feoffeth his heire to defeat wardships.

Fraudulent conveyance to defeat the lord of wardship.

Eie & ione custodiz.

Wards, Wardships, Mariage.

The proces in Communi custodia.	made in good faith, or by fraud to defeate the Lord of his wardship. And if the cheif Lords do by iudgement of the Court recover their wardship, yet the feoffees shall haue their action reserued to recover their term and fee when the heires shall come to their lawfull age. And if any chiefe Lord do maliciously implead such feoffees, sayning this case where the feoffements were made lawfully and in good truth, then the feoffees shall haue their damages & costs awarded vnto them, which they sustained by reason of the foresaid suit: And also the plaintifes shall be grienously amerced. In a plea of Communi custodia, if the deforcors come not at the great distresse, then the writ shall be renewed twice, or thrice, at such times as it may be done within the halfe yeare following, so that euerie time the writ shall be read in the open Countie (if the deforcors be not found before) and there openly bee proclaimed, that he may come at the day limited. And if hee doe then absent himselfe, so that he come not to answer within the said halfe yeare, nor that the Sherife can find him to haue his bodie before the Iustices, to answer according to the law and custome of the Realme, then as a Rebelle, and one that will not be iustified, he shall lose the seisin of the Ward: Saving to him his action at another time, if he hath any right to the ward. But in cases where Wardships do belong to Gardeines of heires being within age, and where the Gardeines do demand a wardship which belongeth to the heire, or as appertaineth to their inheritance: Such heires within age shall not lose their inheritance by the negligence or subboznesse of their Gardeines, as in the case aforesaid, but the common law shall proceed as it had wont to do. Marle. 25. H. 3. 6. 7.
Gard, by reason of gard.	3 If the heire of an Earle, Baron, or knight be within age, his Lord shall not haue the ward of him, nor of his land, before he hath taken of him homage. And after such an heire hath bin in ward, when he is come to full age of xxi. yerres, he shall haue his inheritance without reliefe & fine, so that if such an heire being within age, be made knight, yet neuertheles his land shall remaine in the lords custodie, vntill the terme aforesaid. Mag. char. 9. H. 3. 3.
After wards- ship, no reliefe nor fine.	4 If any Lay man, friend, or other, do with force against the Kings peace withhold, lead away, or marie any heire vnder the age of xxiij. yerres, & is therof convicted, he shall pay to the party from whom the said heire is taken, the value of the mariage, and shall be imprisoned vntill he hath paid the said value, if the child be married, and also vntill he hath satisfied the King for his trespass. Merton. 20. H. 3. 6. West. 1. 3. E. 1. 2. 2. S. Women 6. 7. 8. 11.
A ward made knight.	5 He which doth ravish, and take away any man, or woman child (whose marriage belongeth to another) hauing himselfe no right in the same marriage, although hee doe after restore the child vnmarried, or doe make satisfaction for the marriage, yet shall he be two yeares imprisoned for his offence: And if he doe not restore the heire, or do marie him after the yerres of consent, and is not able to make satisfaction for the marriage, he shall abiure the Realme, or haue perpetuall imprisonment, and therupon the plaintife shall haue a writ of Raviishment of ward. And if the heire chance to die before he be restored, or can be found, yet the suit shall proceed betwene them, vntill it be tried who ought to haue had the marriage, if he had bin liuing: For the wrongfull Raviisher of such a ward, shall not be excused or eased of his punishment, by the death of the heire, which he did wrongfully withhold during his life. And if the plaintife do die before the suit be determined betwixt them, if the right did belong vnto him, by reason of his owne proper fee, the plea shall be resummoned at the suit of the plaintifes heire, and shall passe in due order: But if the right did belong vnto him by reason of any other title, or by gift, sale, or such like, then the plea shall be resummoned at the suit of the plaintifes executors & shall passe &c. In like sort, if the defendant die before the plea be determined, or the heire restored, the suit shall proceed by resummons betwixt the plaintife, or his heire, or executor.
Raviishment of ward.	
The heire dieth.	
The plaintife dieth.	
The defend- ant dieth.	

executozs, and the executozs of the defendant, o2 his heires, if the executozs be not sufficient, as concerning the satisfaction of the value of the mariage, be not to the imprisonment (fo2 in that sozt one man shall not be punished fo2 anothers offence) In like sozt, when any suit dependeth betweene parties fo2 the Ward of an heire, o2 land, o2 of both, by the common writ de Communi custodia, resummons shall be made between the heire, and executozs of the plaintife, and the heire and executozs of the defendant, if death p2uent any of the parties befoze the suit determined: And when they haue passed to the great distresse, there shall be a time giuen, wherein there may be holden th2e Counties at the least, in euery of which Counties there shall be open Proclamation made, that the defo2ceoz shall appeare in the Common Place, at the day contained in the writ, to aunswere the plaintif, at which day if he do not appeare, and the proclamation be so testified, the first, second, and thirde time, Judgement shall be giuen fo2 the plaintife, sauing the defendants right, if he wil at another time defend the same. In the same maner it shall be done in an action of trespass, when a man complaineth himselfe to be eier from such wardships. West. 2. 13.

Communi custodia.

Eiectione custodia.

E. 1. 35.

6 If any heire being aboue riij. yeares of age, and vnder xij. marrie without the licence of his Lord, to defeat him of his mariage, and the Lord do offer him a reasonable and conuenient mariage (without disparagement) then his Lord shall re-aine his land aboue his age of xij. yerres, so long that he may therof receiue the double value of his mariage, according to the estimation of lawfull men, o2 according to that he hath bin offered befoze, without fraud and malice, fo2 the same mariage, and according to that it may be p2oued in the B. court. Merton. 20. H. 3. 6. West. 1. 3.

Forisfactura maritagij.

E. 1. 22.

7 If an Heire (of what age soener he be) will not marie at the Lords appointment, he shall not be therunto compelled, but when he commeth to his full age, he shall satisfie his lord of so much as he might haue receiued of another fo2 his mariage, befoze he shall haue his land, and that shall he do whether he wil marie himselfe, o2 not, fo2 that the mariage of an heire within age is due to the lord of the fee. Merton. 20. H. 3. 7.

Valore maritagij.

8 If a Gardian, o2 chiefe Lord infee2e any man of land, which is the inheritance of a Child within age, and in his ward, to the disheritance of the heire, the heire shall forthwith haue his recouerie by Assise of Nouel disseisin, against his Gardian, and against the tenant, and the seisin shall be deliuered by the Justices (if it be recovered) to the next friend of the heire to whom it cannot discend, fo2 to improve to the heirs vse, and to aunswere the issues to the heire when he commeth to full age: And the Gardian shall loose during his life, the wardship of the thing recovered, and all the residue of the inheritance which he holdeth in the name o2 right of the heire, & if any other Gardian than the chiefe Lord do it, he shall loose the custodie of all that thing, and shall be grievously punished by the B. And if an infant be caried away, o2 disordered by the Gardian, o2 by his seoffe, o2 any other, by reason whereof he cannot sue his Assise, one of his next friends that will, shall be allowed to sue fo2 him. West. 1. 3.

A gardian maketh a seoffement of the heires lands.

Suit by Prochein Amic.

E. 1. 47. S. Assise 2.

9 If any Heire after the death of his Ancestoz be within age, and his Lord hath the wardship of his lands, if his Lord will not deliuer him his lands when he commeth to full age without suit in Law, the heire shall recouer his land by Assise of Moridancester, with the damages that hee hath sustained by the withholding thereof, since the time he was of full age. And if an heire at the time of the ancestors death be of full age, and is heire apparant, and knowne fo2 heire, and found in the inheritance, the chiefe Lord shall not put him out, nor take, nor remoue any thing there, but only shall take simple seisin fo2 confession of his Seigniozie, that he may be knowne to be Lord. And if the chiefe Lord do maliciously hold such an

A remedie fo2 the heire of full age to recouer his land from his Lord.

The heire of full age at the death of his ancestoz shall onely pay Reliefe.

¶ f f f g

heire

Wards, Wardships, Mariage.

Heire out of possession, whereby he is dynen to purchase an Assise of Mortdancester or writ of Cofinage, then he shall recouer his damages, as in Assise of Nouel disseisin Marcb. 52. H. 3. 16.

**The Gardian
shall make no
wast of the
heires lands.**

10 The gardian in Chivalrie of an heire within age, shall take of the heires lands but reasonable issues, customes, and seruices, & that without destruction and wast of his men, and other commodities, and so long as he hath the wardship of the same heire, he shall maintaine his house, parks, stagges, pools, mils, and all other things belonging to the same lands, with the profits of the same, & shall deliuer to the heire when he cometh to his full age, his ground stoked with ploughs, & all other things (at the least as he receiued it) Mag. char. 9. H. 3. 5. And if a gardian do commit wast, he shall loose the wardship: And if the losse of the wardship vntill the full age of the heire be not sufficient to recompence the damages of the wast, he shall also answer to the heire damages. Gloucest. 6. E. 1. 5.

**Gardian in
Socage.**

11 The gardians of an heire within age, which holdeth his land in socage, shall commit no wast, destruction, or sale, in the same inheritance, but shall safely keepe it to the vse of the heire, so that when he cometh to his full age, they shall make him accompt, & answer him of the issues of the same land: sauing to them their reasonable charges. Neither may the same gardians giue or sell the wardship of the same heire, but only to his profit. Marcb. 52. H. 3. 17.

**At what age
an heire fe-
male shall be
out of ward.**

12 If the Lord of an heire female to whom the mariage belongeth wil not marie her, after she hath accomplished the age of xiiij. yeares, but for couetous lucre of the land will keepe her unmarried, he shall not haue or keep by reason of mariage y land of such heire female, moze than two yerres after the said terme of xiiij. yerres: And if the lord within the said y. yerres do not marie her, then she shall haue an action to recouer her inheritance, without giuing any thing for her wardship, or mariage. West. 1. 3. E. 1. 22. But the law of the realme is, that if a woman be of the age of xiiij. yerres at the time of the death of her ancestoz, she shall haue Linerie of her lands descended vnto her. 39. H. 6. 2.

**The heire fe-
male refusing
mariage.**

13 If an heire female, of malice, or by enill counsel wil not be maried by her chief lord, where she shall not be disparaged, then her lord may retaine her land & inheritance vntill she hath accomplished the age of an heire male, viz. of xxiij. yerres & aboue, vntill he hath receiued the value of her mariage. West. 1. 3. E. 1. 22.

**Priority of
feoffment
giveth title of
wardship.**

14 If one inheritance disend to any infant within age of the fathers side, which held of one Lord, & another of the mothers side that held of another Lord, that Lord shall haue the mariage, of whom the childes ancestoz was first infeoffed, without having respect to the sexe or quantitie of the land, but only to the moze ancient feoffment by knights seruice. West. 1. 13. Ed. 1. 16. 28. E. 1.

**Disparage-
ment of the
heire.**

15 Heires shall be maried without disparagement. Mag. chart. 9. H. 3. 6. And if any lord do marie those which they haue in ward, being within the age of 14. yerres (so that they cannot consent to mariage) to villains, or other such kind of Wozough men, where they are disparaged, then if the wards friends do complaine therof, the lord shall lose the wardship, vntill the full age of the heire, & the profit that shall be therof taken, shall be conuerted to the vse of the heire, which is within age, according to the disposition of his friends, for the same which is done vnto him: But if he be of the age of xiiij. yerres & aboue, so that he may and do consent to such mariage, no paine shall follow. Merton. 20. H. 3. 6.

**Tenure by
knights ser-
uice.
Petit Serie-
antie.**

16 Where Reliefe shall bee given, there marriage is incident, & e converso. Such as hold in Serieantie to go with the L. in his host, there ward and reliefe do belong. Such as hold by petit Serieantie, as to beare shield or speare in the L. host, to beare or carrie, there lyeth neither Ward, Mariage, nor Reliefe. A free Soke man shall not giue ward nor reliefe, but he shall double his rent after the death of his ancestoz, according as he was wont to pay, and shall not be unmeasurably grieued.

ned. There be two maner of wits to reconer wards: one is where lands be holden by knights service, the other where a man both hold land of another in socage. The ward of land that is holden by knights service, doth belong to the chief Lord, untill the heires age of xxi. yeares, and the mariage. And he ought to be so married, that he be not disparaged. The ward of an heire which holdeth in socage, if the land or inheritance descend on the Mothers side, belongeth to the next friend on the Fathers side, & e conuerso. A wit to reconer Ward may be brought in three maners: One is, when a man demaundeth the ward of the land and heire, & that is in case where one man holdeth lands of another by knights service, & the tenant dieth, then may the chiefe lord, if he be deforced, demand the ward of the land & heire, and shall haue both ward and mariage: Another maner is, when a man is infeoffed of one yard land by one man, and of another by another man, the second Lord may not bring a wit of Ward to reconer either the land or the heire, for the ward belongeth to the Lord of whom he was first infeoffed: The third maner is, where a man hath land in his hands by reason of a Ward, and hath not the heire, then he may bring a wit to demaund the heire, and not the land. An. 28.E.1. de Wardis & Releuijs.

Who shall be garden in socage.

Three sorts of wards.

17 The King shall haue the Wardship of all their lands which hold of him in chiefe by knights service, whereof the tenants were seised in their demesnes as of fee, the day of their death, of whom soeuer they hold by like service, so that they held of auncient time any lands of the King. as of his Crowne, untill the heire come into his lawfull age (except the fees of the Bishops of Canterburie, and Durham, betweene Line and Tees, and of Carles and Barons of the Marches &c.) Prerog. Reg. 17.Ed.2.1. And therefore, because the King shall haue as well those lands which be holden of others, as which be holden of himselfe, whereof his tenant died seised during such minozitie of the heire, and untill he hath sued Liverie, such mesne Lords during such minozitie, shall receiue the rents due to them for the same lands holden of them, by the hands of such of the Kings officers, as be appointed to receiue & take the profits and revenues of the same lands so holden of such mesne Lords, during the minozitie of such heire, and untill he sue his Liverie. And such heire untill he shall, or conveniently might haue sued his Liverie, shall be thereof discharged. And such Officer shall vpon request made, pay the same to such mesne Lords, they giuing to him a sufficient acquittance, & such paiement and acquittance shewed, shall be to the same Officer a sufficient discharge vpon his accompt. 2.E.6.8. S. Prerog. 1. S. Office 1.

wardship of them which hold by knights service in chiefe.

How the meane Lords shall be answered there chief rent, during the heires minozitie.

18 If any do hold of the K. by fee ferme, or socage, or burgage, & he holdeth lands of another by knights service, the K. shall not haue the custodie of his heire, nor of his land, which is holden of another mans fee, by reason of the fee ferme, socage, or burgage: Neither shall he haue the custodie of such fee ferme, socage, or burgage, except knights service be due unto him out of the said fee ferme: Neither shall hee haue the custodie of the heire, or of any land holden of another by knights service, by occasion of any petit Serisantie that any man holdeth of him, to pay a knife, an arrow, or other like thing. Mag. chart. 27.

Tenure of the K. by fee ferme or socage.

Petit Serisantie.

19 The K. shall haue the mariage of an heire being within age, & in his custodie, whether the land of such heire haue of auncient time bin holden of the crown, or that it came by reason of Escheat being in the K. hands, or that he hath the mariage by reason of the ward of the Lord of such heire, without respect of pzoizity of feoffement, although the heire hold of others. Prerog. Reg. 17.E.2.2.

Mariage.

20 If a woman befoze the death of her auncellor, which held of the K. in chiefe, be married befoze she be marriageable, then the King shall haue the wardship of the same woman, untill she be of the age able to consent, and then she may chuse whether she will haue him, to whom she was first married, or him that the King

The K. woman tenant married in the life of her auncellor.

Will it

will

Wards, Wardships, Mariage.

Wast in
wards lands
by the King
committed.

Wast in
wards lands
by the King
granted.

In Escheator
shall have no
fee, nor commit
wast in wards
lands.

Fraudulent
conveyance to
defeat wards
hyp, &c.

will offer her. Prærog. Reg. 17.E.3.5.

21 If the K. do commit the wardship of the land of any heire in his custodie to the sherife, or any other, to answer to his Grace the profits of the same lands, & he do make wast or destruction in the wardship, he shall make amends to the K. and the lands shall be committed to two lawful and discreet men of the same fee, which shall answer the king, or him which he will assigne, the profits of the same lands. Mag. chart. 4.

22 If the K. do give or sel to any man the wardship of any such land, and he doth make wast or destruction therein, he shall lose the wardship, & it shall be delivred to two lawfull and discret men of the same fee, which shall answer the K. the profits &c. Mag. chart. 9.H.3.4.

23 An Escheator shall have no fee of wood, wlenison, Fish, nor other things, but shall answer to the K. the issues and profits comming perely of wards lands, with- out doing wast or destruction. And if any Escheator, or Subescheator, doe commit wast in any wards lands, as in houses, woods, parks, warrens, or other things that fall into the K. hands, he that hath received the losse shall have an action of wast out of the Chauncerie against the Escheator, for his fact, and the Subescheator for his fact (if he have whereof) & if he have not, his master shall be answerable for the damages. And if the Escheator be attainted of wast, he shall be punished at the K. pleasure, and yeld to the heire treble damages at the heires owne suit, as well within age, as of full age, and his friends, as long as he is within age, shall have the suit for him, answering to the heire that which shall be recovered. Articuli super chart. 28.E.1.18. 36.E.3.13.

24 If any person or persons, having estate of inheritance, of, or in any manors, lands, tenements, or hereditaments, holden of the King by knights service in chiefe, or otherwise of the king by knights service, or of any other person or persons by knights service, have given, at any time thence the xx. day of July, 32. Hen. 8. Ann. Dom. 1540. or hereafter shall give, will, devise, or assigne by will, or other act executed in his life, his manors, lands, tenements, or hereditaments, or any of them, by fraud or couin, to any other person or persons, for terme of yeres, life, or lives, with one remainder over in fee, or with divers remainders over for term of yeares, life, or in taile, with remainder over in fee simple to any person or persons, or to his, or their right heires: And at any time thence the said xx. day of July, hath conveyed, or hereafter shall convey, or make by couin, (contrarie to the true intent of the Act provided 34.H.8. for the making of Wills) any estates, conditions, mesnalties, tenures, or conveyances, to the intent to defraud or deceiue the King of his Prerogative, primer seisin, luerie, reliefe, wardships, marriage, or rights, or any other Lords, of their wardships, reliefs, heriots, or other profits, which should or ought to accrue, grow, or come unto them, or any of them, by, or after the death of his or their tenant, by force, and according to the Statutes made 32. Hen. 8. 1. and 34. H. 8. 5. And the same estates, and other conveyances, being found by office so to be made, by couin, fraud, or deceit, contrarie to the true intent of the said Acts: When the King shall have as well the wardship of the bodie, and custodie of the lands, &c. as luerie, primer seisin, reliefe, and other profits, which should or ought to appertaine to him, according to the true meaning of the said Acts, as though no such estates or conveyances by couin had never been had or made, untill the said office be lawfully undone by Trauerse, or otherwise. And the other Lord and Lords, of whom any such lands, &c. shall bee holden by knights service, as is aforesaid, shall have their remedie in such cases, for his or their wardships of bodie and lands, by writ of Right of ward, and shall distraine and make suowrie or cognisance by themselves, or their Bailifes, for their relieves, heriots, and other profits, which should have bene to them due, by, or after the death

death of their tenant, as if no such estate or conveyance had bene had or made: Saving the right and title of the doness, feoffees, lessee, and devisees thereof, against the said devise, and his heires, after the interest and title of the King or other Lord therein ended. 34.H.8.5.

25. If two or more doe hold any lands, tenements, or hereditaments of the King by Knights service toptly to them, and the heires of one of them, and he that hath the inheritance thereof dieth, his heire being within age, the King shall have the Ward, and marriage of the bodie of such Heire, the life of the Freeholder, or Freeholders of the said Lands, Tenements, &c. notwithstanding. 32.H.8.1.

26. All Wards which the King is intituled to have, with their manors, lands, tenements, rents, remainders, reversiones, services, and all other hereditaments, as well in possession, as reversion, and all revenues, issues, and profits of the same, for the time the same be, or ought to be in the Kings possession, shall be in the order, survey and government of the B. Court of Wards and Liveries, and the ministers of the same. 32.H.8.46. And all Liveries which shall be sued out of the hands of the King, his heires and successors, and out of the hands of any of them, of any Castles, Honors, manors, lands, tenements, rents, reversiones, remainders or other hereditaments whatsoever they be, shall be in order, survey, and governance of the said Court of the Kings Wards and Liveries, and of the ministers of the same. 33.H.8.22.

27. The Master, Attorney, Receiver general, and Auditors of the Court of Wards and Liveries, or three of them, whereof the Master shall be one, have authoritie to make sale and graunt of the Kings Wards, and enerie of them, and part of their lands during their minority, the same sale and graunt to passe by the B. Will assigned. And also the said Master, with the advice of the said Attorney, and Receiver, or one of them, have authoritie without the Kings Will assigned, to make Woodsales to the Kings use, of all underwoods, upon any of the Kings Wards lands, being lawfully in the Kings possession. And to take and appoint Timber for the necessarie reparations of all the Castles, Manors, Lands, Tenements, and Parkes of the said Wards. And in the Kings name to make Leases during the minority of the said Wards, of all Lordships, Manors, Lands, and Tenements, remanyn in the Kings hands, and belonging to the said Wards, yielding to the King such rents, as shall be thought convenient by the discretion and survey of the said Master, Attorney, Receiver, and Auditors, or three of them, whereof the Master to be one. And also the said Master, by the advice of the said Attorney, Receiver, and Auditors, or three of them, hath authoritie to survey all the Kings Widows, and to treat, commune, and conclude with all and enerie one of them that have married themselves without the Kings licence, for their reasonable fines to be made to the Kings use, and to take and asseesse the same by their discretion, according to the Statute of Prærogativa Regis. And also to survey, governe, and order, all and singular Ideots, and naturall Fooles, which be in the Kings hands, and all the Manors, lands, and Hereditaments &c. being in the Kings hands, or in the hands of any other person to their uses, that doe come, or be in his Graces hands, in the right of any of them, by reason of his Prærogative Royal. And by the said advice &c. three or two of them, to let and set the manors, lands, and tenements to the Kings use, for the time of the Kings interest, for such rent and fine, as by their discretions shall be thought convenient: The finding and keeping of the persons, their wives and children, and the reparations of their said houses and lands alwayes to be considered. And the said Master, with the advice of the said Attorney, Receiver, or one of them, hath authoritie to call at all times before them, into the Office of the Wards, &c.

The doness title saved after the Lords interest determined.

Wardship by reason of a remainder only. At the Kings wards, & their lands in the order of the Court of Wards and Liveries.

The authority of the chiefe officers of the Court of wards and Liveries.

Grants of Wards, Woodsales.

Reparations, Leases.

S. Prærog. 4. 10 The Kings Widowers.

Ideots.

S. Prærog. 4. 10 The Kings Widowers.

Wards, Wardships, Mariage.

Intrusion. by the proces of the same court, euerie person which is, or hath bene the Kings Ward, intruding, or entring into, or vpon his Lands, or vpon anie part thereof, after his full age of one and twentie yeares, and befoze he hath sued and obtained his Luerie, or Ouster le maine for the same, out of the Kings hands, vnder his great Seale, as well to make aunswere for his intrusion vpon the Kings possession, as to make payment to the Kings Receiver generall of the same Court, of all such rents, issues, and profits by him taken at any time after his full age of one and twentie yeares, and befoze Luerie sued for the same out of the Kings hands. And the said Passer in all places, and the said Attorney, Receiver generall, and Auditors, or two of them, in the said Court (the Passer being absent) haue authoritie to take Obligations to the Kings vse, of euerie particular Receiver, which shall be assigned for the said Court, and of his suerties for sure payment of his receipts, and to take Obligations to the Kings vse, as well of euerie Farmour, Bayliffe, Reeue, or other accomptants, for the true payment of their receipts, and of euerie person which is indebted to the King for anie Arerages of his Receipts, Farmes, or Charges, as of anie other person, for any other cause or matter concerning the premises, determinable within the said Court. And all such Obligations and writings obligatorie, of what summe soeuer they be, be of the same strength, qualitie, and effect, to all intents, as writings obligatorie, made by any lay person, by the authoritie of the Statute Staple beene, or ought to be. And the Passer, Attorney, and Receiver generall, or two of them, haue authoritie to set such fine, as by their discretion shall seme good, vpon anie person called by the kings proces of the same Court, to appeare at Westminster in the same Court within the Terme, at a certaine day to him prefixed to appeare, and hath day given in Court to make answere to the matters objected against him in the same Court in the Kings behalte, which doth depart the Court befoze answere made, and Attorney put into the Court, with assent of the Court, for prosecuting the matter with effect, which fine shall be leuied of his lands, tenements, goods, and cattels to the kings vse. And also the said Passer hath authoritie to make and appoint all and singular particular Receivers, Feodaries, and Surueyors, in euerie Shire, and also fees for executing the same, vnder the seale of the same Office, in such wise, as the same officers may be alwaies remoneable at the discretion of the said Court. And also to make allowance of the costs of all Commissioners, particular receivers, surueyors, auditors, counsellors, and Feodaries, and euerie of them, by his Will assigned, which Will is a sufficient warrant to the Auditors of the same Court, to make allowance of the same. And the said Passer hath authoritie to take recognisances of all persons that be called in to the said Court, to answer to any matter alleaged against them in the said court, to make their daily apparance in the said Court, to aunswere to such matter, as to them, then, and there from time to time shall be alleaged. And all such recognisances, of what summe soeuer they bee, be as good and effectuell in the Law to all intents, as Recognisances taken in the Chancerie, or elsewhere, befoze anie Judge of Record, within this Realme. And the said Passer, with the aduice of the Court, or of such number of the same as then be present, so that they be two beside the said Passer, haue full power to moderate such Recognisances as be there forfeited, and to set fines for the same to the kings vse vnder the summes contained in the said Recognisances, the same fines to be leuied by processe of Scire facias, &c. And the said Passer with the aduice aforesaid, hath authoritie to commit to ward any person or persons for his or their disobedience, contempt, or other offence, to be made triable within the said Court, and vpon the said matters ordered there, to deliuer them from prison, and to cancell and make void all Recognisances and Obligations taken in the same Court to the Kings vse, when the said Passer

Bonds of accomptants.

Assessing of fines.

Appointment of Officers.

Recognisance of apparance.

Moderating of recognisances forfeited.

Committing to prison. Cancellling Bonds.

Shaffer, with the aduice of the said Court, or thre of them, shall see the matters for the which any such Recognisance or Obligation was taken to be finished, and the king or partie thereupon satisfied, without any other warrant for the same. 32.H.8. 46. 33.H.8.22. 33.H.8.39.

28 The Shaffer and officers of the Court of Wards and Liueries, shall take for the fees of all pces, at the suit of the parties vnder the priue seale of the same Court ij.s.vj.d. And for the fees of all Commissions, directed out at the suit of the parties ij.s.vj.d. And for recording of all apparances iij.d. and no more. 32.H.8.46 For the authoritie of the Court of Wards. S.Courts.

The fees for pces, and recording apparance.

1 Within what time a patent of Wardship shall be sued forth after the granting thereof. S. Patents 24.

2 What those officers of the Court of Wards shall forfeit, which do withdraw or concale any of the Kings rents or profits. S. Officers 7.

3 Liueries shall be in the order, suruey, and gouernance of the Court of Wards and Liueries. S. Liueries 4.

Warrantie.

In Deeds there is contained Dedi & concessi tale tenementum, viz. I haue given Land granted such a tenement, without homage, or any clause that containeth warrantie, and to hold of the donoys and their heires by a certaine seruice, the donoys and their heires shalbe bound to warranty. And where it is contained Dedi & concessi &c. to hold of the chiefe Lords of the fee, or of any other then of the feoffors, or their heires, reseruing no seruice to himselfe, without homage, or without the soze said clause of warrantie, his heires shall not be bound to warrantie, but the feoffor by reason of his gift shalbe bound to warrantie during his owne life. Stat. de bigamis. 4 Ed. 1. 6.

Warranty by Dedi & concessi.

2 If a man alien the land that he holdeth by the curtesie of England, his sonne shall not be barred by the deed of his father (from whom no heritage to him descended) to demand and reconer by writ of Mordauncester of the seisin of his mother, although it be mentioned in the deed, that his father did bind him and his heires to warrantie. And if any heritage descend to him of his father sive, then he shal be barred for the value of the heritage that is to him descended. And if in such case after the death of his father, any inheritance descend to him by the same father, then shall the tenant reconer against him of the seisin of his mother by a iudiciall writ, that shall issue out of the rolls of the J. befoze whom the plea was pleaded, to resummon his warrantie, as befoze hath bin done in like cases, where the heire of the warrantor cometh into the Court, saying that nought descended from him vpon whose deed he is vouched. And in like maner, the issue of the son shall reconer by writ of Cognage, Aiel, & Belaiel. Likewise, and in like maner, the heire of the wife shall not be barred after the death of his father and mother, to demand by action the inheritance of his mother by writ of Entrie, which his father did alien in the time of his mother, whereof no fine is leuied in the kings Court. Glou. 6. E. 1. 3. S. Women 5.

The husband both alien his wifes land with warranty.

Assets.

Cui in vita.

1 Where the K. shalbe bound to warrantie. S. Aide of the King 1. Monasteries 35.

2 Where a womans suir or her heires, shall not be deferred by the minoritie of the heire, which should warrant the lands. S. Women 15.

Warre.

Wages shall be given by the king, and not by the Commons, to Preparers, Conueyors, and Souldiers, being in making readie to conuey men wages in warre.

Wast.

men toward Service in Warre. 1. Edw. 3. 7. Men of Warre, Hoblers, and Archers chosen to goe in the Kings service out of England, shall be at the Kings wages from the day that they depart out of the Counties where they were chosen, untill their comming againe. 18. E. 3.

Wast.

No farmor
shall make
wast without
warrant.

An action of
wast against
tenant by the
curtesie, for
life, or yeares.

No wast or
excrement
hanging any
suit.

Proces in an
action of wast.

A writ to in-
quire of wast.

Tenant for
life or yeares
granteth over
his estate, ta-
keth the pro-
fits, and com-
mitteth wast.

wast commit-
ted by a tenant
in common.

Farmors during their termes shall not make wast, sale, or erile of houses, woods, or men, nor of any thing belonging to the tenements which they have in ferme, without they have special graunt by writing, making mention of the covenant that they may do it. Mar. 5. 2. H. 3. 24.

2 A man shall have an action of Wast in the Chauncerie against him which is tenant by the courtesie of England, or otherwise tenant for terme of life, or for terme of yeares, or against a woman which holdeth in dower, and he which shall be attainted of wast, shall lose the thing wasted, and besides shall pay treble so much as the Wast shall be taxed. Gloucest. 6. Edw. 1. 5. After such time as a plea is moved in the citie of London by writ, the tenant shall have no power to make any wast or excrement of the land which is in demand, hanging the plea. And if he do, the Pay, or and Baylifes shall cause it to be kept at the suit of the demandant. And the same Ordinance and Statute shall be obserued in other Cities, Boroughs, and elsewhere, throughout the whole Realme. Gloucest. 6. Ed. 1. 13.

3 Of euerie manner of Wast committed in any mans Inheritance, by Cardeins, Tenants in Dower, by the courtesie, or otherwise for terme of life, or for terme of yeares, to the damage of another, a Writ of Summons shall be awarded, and if after the Summons, he against whom the Writ is brought, appeare not, he shall be attached, and after the attachment he shall be distrained, and if he appeare not after the distress, the Sherife shall be commanded, that in his owne proper person, taking with him xij. or he shall goe vnto the place wasted, and inquite of the wast committed, and returne the inquisition, and after the inquisition is returned, iudgement shall be given, as is contained in the Stat. of Gloucester. Westm. 2. 13. Ed. 1. 14. S. 2.

4 If anie persons doe let their lands to anie other for terme of life, for terme of another mans life, or for terme of yeares, and the tenants doe graunt their estate which they haue in the same, to anie other persons, to the intent, that they in the reuerfion should not knowe their names, and after the first tenants doe continually occupie the said lands, and take thereof the profits to their owne vse, and in the said lands commit wast to the disheritance of them in the reuerfion: In such case, they in the reuerfion may haue and maintain an action of wast against the said tenants, and so reconer against them the place wasted, and their treble damages for the wast committed, as they ought to haue done for the wast by them done befoze the said grant. But this Ordinance holdeth not place, but where the first tenants were punishable of wast befoze the graunting of their estate, and also where after the said graunt they take the profits of the same lands to their owne vse, at the time of the wast committed. 11. H. 6. 5.

5 Whereas two or moze doe hold any Wood, Turbarie, Fishing, or other such things in common, wherein none knoweth his owne severall, and one of them doth commit wast against the will of the other, an action of wast may lie, and when it is come vnto iudgement, the defendant shall chuse eyther to take his part in a place certaine, by the assignement of the Sherife, and by the view and oath of his neighbours, two or more and tried for the same intent, or else he shall graunt to take nothing from thencefozth in the same wood, Turbarie, and such other, but as his part-
ners

ners will take, and if he do chuse to take his part in a place certaine, the place waſted ſhall be assigned foꝛ his part, according as it was befoꝛe he committed the waſt
West. 2. 13. Ed. 1. 22.

1 The remedie where waſt is committed in any Wards lands. See Wards 10. 11.
21. 22. 23.

Watch and Ward.

From the feaſt of Aſcention untill Michaelmas in euerie Citie, ſire men ſhall watch at euerie gate, in euerie Boꝛough xij. men, in euerie towne ſire oꝛ foure according to the number of the inhabitants of the towne, and ſhall watch the towne at night, from the Sunne ſetting to the Sunne riſing, and if any ſtranger doe paſſe by them he ſhall be arreſted untill moꝛning, and if no ſuſpicion be found, he ſhall go quit, and if they find cauſe of ſuſpicion, they ſhall ſoꝛthwith deliuer him to the Sheriſe, and the Sheriſe ſhall receiue him without hurt, untill he be acquitted in due manner: And if he will not obey the arreſt, they ſhall leuie huy and crie vpon him, and ſuch as keepe the towne, ſhall follow with huy and cry with all the towne and and townes neere, and from towne to towne, untill he be taken and deliuered to the Sheriſe, as befoꝛe is ſaid, and foꝛ the arreſtments of ſuch ſtrangers none ſhalbe puniſhed. Wincheſt. 13. Ed. 1.

When the night watch ſhal begin and end.

Arreſting of nightwalkers

2 In great townes walled, the gates ſhall be ſhut from the Sunne ſetting untill the Sunne riſing: And no man ſhall lodge in the ſuburbes, oꝛ any place out of the towne from nine of the clock untill day, except his hoſt will anſwer foꝛ him, and the Bayliſes of townes euerie waꝛke, oꝛ at the leaſt euerie 15. day ſhall make enquire of all perſons, being lodged in the ſuburbes, oꝛ in foꝛeine places of the townes, and if they find that any hath receiued any ſuſpicious perſons, not keeping the p. peace, the Bayliſes ſhall execute right and iuſtice therein. Wincheſt. 13. Ed. 1. And Juſtices of peace haue power to make inquiſition in their ſeſſions from time to time, and to puniſh them which be found in default after the tenoꝛ of the ſoꝛelaid Statute of Wincheſter. 5. H. 4. 3.

Warding of walled townes

Waxe and Honey.

Euerie perſon within this Realme, oꝛ the Dominions of the ſame, which ſhall in the making and melting of Ware, by any way oꝛ meanes ble oꝛ praſtiſe, oꝛ cauſe to be ble oꝛ praſtiſed any manner deceit, by mixture and mingling the ſame with Roſin, Tallow, Turpentine, oꝛ any other deceitfull thing, to the intent, to ſell and utter the ſame, oꝛ offer the ſame to be ſold oꝛ uttered foꝛ Ware to any perſon oꝛ perſons whatſoeuer, ſhall foꝛfeit and loſe the ſame mingled oꝛ corrupted ware. And if the ſame corrupted ware ſhall happen to be ſold, befoꝛe ſuch default and corruption ſhall be found, then the ſaid melter, mingler, oꝛ corrupter, cauſer, oꝛ procurer thereof, ſhall foꝛfeit foꝛ euerie pound two ſhillings, whereof the one halfe to be to the Quene, the other halfe to the partie deceiued, if he will ſue foꝛ it, oꝛ any oꝛ ther perſon oꝛ perſons that will ſue foꝛ the ſame, in any of the Qu. courts of recoꝛd. 23. Eliz. 8.

Using deceit by mixture in melting of waxe.

2 Euerie melter and maker bp of vntowought ware, ſhall haue foꝛ himſelfe a ſtampe oꝛ marke, of the breadth of ſixe pence, wherein two letters ſhall be plaine-ly grauen, ſignifying his name and ſurname, and with the ſame ſhall ſtampe euerie piece of ware, to be pꝛinted oꝛ ſtamped triangle, in three places vpon the outſide of the vpper part of euerie piece ſo melted and caſt, vpon the paine, to foꝛfeit the value of euerie piece oꝛ cake ſold, oꝛ offered to be ſold, and not ſo ſtamped, oꝛ marked. 23. Eliz. 8.

Euerie melter of ware, ſhall haue his marke,

Waxe and Honey.

**Wrought
Ware marked.**

3 No person ne persons within this Realme, or the Dominions thereof, shall melt, mixe, worke, or sell any manner of wrought ware, stuffe, or wares wrought with ware, as in lights, stasse-to:ches, red ware, or sealing ware, brooke candle, searing candle, searing of dead corpes, linkes, graine ware, red ware, or any other worke or thing whatsoener, to be done or wrought with ware to be put to sale, but with good, wholesome, pure, and convenient stuffe, mete in such wares, or worke in convenient quantity to be bled. And euerie person or persons that shall worke or sell such stuffe or wares of ware, shall haue a marke, or stampe, or seale, to set on his or their worke, by him or them wrought or sold, to the intent that if any deceit be bled, or done, it may be knowne who were the workers thereof: And such person or persons as shall be found or knowne to worke, or sell, or to sale put, any such false war, or wares wrought with ware, to be put to sale, shall forfeit the same corrupted or deceitfull ware and wares, the one halfe to be to the Qu. ec. and the other to the partie deceived if he shall sue for the same, or otherwise to him or them that will sue for the same by W. A. or J. in any of the Quenes courts of record, wherein no C. P. or Ct. shall be allowed. 23. El. 8.

**Corrupted or
false mingled
Ware forfeited.**

4 Euerie person and persons whatsoener, which shall sell or suffer to be sold any corrupted and false mingled war, shall forfeit the said ware, the one moitie thereof to be to the Qu. and the other to the partie deceived, if he shall sue for the same, or otherwise to him or them that will sue for the same, as aforesaid. 23. El. 8.

**Selling Ware
of their owne
Wares.**

5 Provided alwaies, that this Act, as touching the marking of ware, shall not extend to any person or persons, selling the ware of their owne Wares in open markets in small pieces, nor to any servant or servants, or other persons, mingling or corrupting any ware, by commandement of their master or other person hauing authority ouer them, so as they will confesse the same. 23. El. 8.

**Vessels of ho-
ney marked
with 2. letters**

6 All Barrells, Kilderkins, and Firkins, filled with honey by the maker and seller, shall be marked with two letters, standing for his name and surname, each letter of an ynch and a halfe of length at the least, burnt vpon the head of the caske with an hot yron, vpon the paine to forfeit vj. s. viij. d. for euerie barrell, kilderkin, firkin or caske, sold or offered to be sold, and not so marked. And if any person or persons doe or shall fill or sell, or cause to be filled or sold, or offered to be sold, any barrell, kilderkin, or firkin, with honey, for, or in the name of a barrell, kilderkin, or firkin, containing lesse then 3 1/2 wine gallons the barrell, 16 wine gallons the kilderkin, and 8 wine gallons the firkin, euerie person and persons so offending, shall forfeit for euerie halfe gallon so lacking, v. s. And euerie person and persons that shall corrupt the honey so sold, or to be sold, with any deceitfull mixture, shall forfeit the barrell or vessel, and honey therein contained to the Qu. and Informer ec. A. n. 23. Eli. 8. S. Wines 13.

**The content
of euery vessel
of honey to be
sold.**

**Corrupting of
honey.**

S. Wines 13.

**Counterfei-
ting of marks
or marking
with anothers
marke.**

7 If any person or persons shall at any time hereafter counterfeit any the marks aboue mentioned, or shall set to the marks or markes of anie other person or persons, without the consent of the same person or persons, whose names the said markes shall signifie, euerie such offender in the premises, shall forfeit for euerie such default v. s. the one moitie thereof to be to the Quene ec. and the other moitie to the partie deceived, if he will sue for the same, or otherwise to any other person or persons, that will sue for the same by W. A. or J. in any of the Qu. courts of record, wherein no C. P. or Ct. shall be allowed. And for non-sufficiencie of payment thereof, to be set on the pillorie in the next market towne, to the place where such offence shall be committed, and to suffer thre moneths imprisonment, without baile or mainprise for euery offence committed contrarie to this article of this present act. 23. El. 8.

8 Ware Chaundlers, which shall take for their Candles and other workes of ware aboue foure pence a pound, moze then the plaine ware is worth betwene Merchant

Weights and Measures.

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Merchant and Merchant, shall forsell the same, as the brie value thereof, and being attained thereof, shall make fine to the King. 11.H.6.12. S. Justice of Peace 42.

Weights and Measures.

One weight, and measure, and one yard shalbe throughout the whole Realme, aswell without the Staple, as within. Mag. chart 26.14.E.3.12. 27.Ed.3.10. And everie measure of Cozne shalbe stricken without heape; Sawing the rents and termes of Lozds. 25.Ed.3.10. 34.Ed.3.6.

One weight and measure through the Realme.

2 By the consent of the whole Realme of England the Measure was made, that an English pennie called a sterling, round, and without clipping, shall weigh 321 coznes of wheat in the midst of the eare, and 11.8. shall make an ounce, 19. ounces of Troy weight shall make a pound, and 8.℥. of Troy weight shall make a gallon, 8.gallons shall make a bushell, which is the 8.part of a quarter. Compositio mensurarum 51.Ed.1. 12.H.7.5.

A Bushell.

3 There be but only 8.bushels rated and stricken to the quarter of cozne, and 14.℥. to the stone of woll, and 26.stone to the sacke. 11.H.7.4.1.H.5.10.15.R.2.4.34.E.3.6. And whosoever doth buy or sell wools at more weight than at 14.℥. the stone, shal pay double to the partie grieved, and make fine to the K. according to the quantitie of the trespassse. 13.R.2.9.

A quarter of cozne, a stone & sack of woll.

4 Thre graines of barley drie and round do make an ynch, twelue ynches doe make a foot, thre fot do make a yard, five yards and a halfe doe make a perch, and fortie perches in length and foure in breadth do make an acre, Compositio vinarum & peticarum.

An acre of ground.

5

The breadth.			The length of the acre.		
Perche.	Perche.	Feete.	Perche.	Perche.	Feete.
10	16	0	28	5	11 ¹¹ / ₁₄
11	14	9	29	5	8 ³¹ / ₁₈
12	13	5 ¹ / ₂	30	5	5 ¹ / ₂
13	12	5 ¹ / ₁₂	31	5	2 ⁴¹ / ₆₃
14	11	7 ¹ / ₁₄	32	5	0
15	10	11	33	4	14
16	10	0	34	4	11 ¹¹ / ₁₇
17	9	6 ²⁷ / ₃₄	35	4	9 ³ / ₇
18	8	14 ² / ₃	36	4	7 ¹ / ₃
19	8	6 ¹⁸ / ₁₉	37	4	5 ¹³ / ₁₇
20	8	0	38	4	3 ⁹ / ₁₉
21	7	10 ³ / ₁₃	39	4	0
22	7	4 ¹ / ₈	40	4	0
23	6	15 ¹⁸ / ₂₃	41	3	14 ⁷³ / ₈₂
24	6	11	42	3	13 ¹⁵ / ₄₂
25	6	6 ³ / ₅	43	3	11 ⁷⁷ / ₈₆
26	6	2 ⁷ / ₁₃	44	3	10 ¹ / ₅
27	5	15 ⁵ / ₁₈	45	3	9 ¹ / ₆

In ordinance of measuring of Land, An.34.Ed.1.

GGGG

6 The

Weights and Measures.

The weight of Cheese.

6 The weight of a weigh of Cheese must containe xxxij. cloues, that is to say, euerie cloue big. pounds by the weights touching. 9.H.6.8.

7 Anno 11. Hen. 7. 4. and 12. H. 7. 5. It was enacted, that there should be carried into euerie Citie, Bozough, and Market Towne hereafter named, one of euerie Weight and Measure, which the said King H. 7. caused to be made of Brass, according to his Standard of his Exchequer, there to remaine for ever in the keeping of the head Officer of the same Citie, Bozough, or Towne, as the Kings Standard of weight and measure, and that the Inhabitants of all cities, bozoughs, and market townes within euerie of the said shires, should make, or cause to be made, to remain with them, common measures and weights, according to the same weights & measures, and that the same measures and weights should be viewed, examined, printed, signed, and marked by the head Officer, in whose possession the said Standard should remaine.

The names of the Townes limited for the keeping of Weights and Measures.

Westmerland.	Towne of Appleby.	Surrey.	Towne of Silkeston.
Portsmouth.	T. of Newcastle.	Suff.	T. of Lewes.
Cumberl.	Citie of Carlisle.	Wor.	Citie of Worcester.
Lancast.	T. of Lancaster.	Werk.	T. of Reading.
Essex.	Citie of York.	Hereford.	T. of Hereford.
Lincoln.	Citie of Lincoln.	Salop.	T. of Shrewsburie.
Derb.	T. of Derby.	Staff.	T. of Stafford.
Noting.	T. of Nottingham.	Glouc.	Citie of Gloucester.
Leicest.	T. of Leicester.	Wigorn.	Citie of Worcester.
War.	Citie of Coventrie.	Wilt.	Citie of New Salisburie.
Notpl.	T. of Nippingham.		
Port.	T. of Portsmouth.	South.	Citie of Winchester.
Bedf.	T. of Bedford.	Som.	T. of Rochester.
Buck.	T. of Buckingham.	Dor.	T. of Dorchester.
Cantab.	T. of Cambridge.	Devon.	Citie of Exeter.
Hunt.	T. of Huntingdon.	Cozumb.	T. of Lenthall.
Port.	Citie of Norwich.	London.	Citie of London.
Suff.	T. of S. Edmundesbury.	Wiltow.	Citie of Wiltow.
		Quing Port.	Citie of Dover.
Essex.	T. of Chelmsford.	Coventrie.	Citie of Coventrie.
Herts.	T. of Hertford.	South.	T. of Southampton.
Widd.	Citie of Westminster.		
Kent.	T. of Maidston.	Chesster.	Citie of Chesster.

Head Officer may signe weights and measures to every man that will.

8 Every head officer having the said weights and measures signed and printed, vnder the signe and print for the same, hath authoritie to make, signe, and print, like weights and measures vnto euerie the R. Subjects duly requiring the same, taking for marking and sealing of euerie Bushel i. s. of euerie other measure an halfe peny, of euerie hundred weight a peny, and of euerie halfe hundred weight ob. and euerie weight vnder, a farthing, and not above, vpon paine to forfeit for euerie time that he refuseth, or doth the contrarie xl. s. to the R. and J. that will sue by A. of debt, wherein no W. &c. 11. H. 7. 4. 12. H. 7. 5.

Whomever buy or sell with weights and measures signed & printed.

9 No Merchant or other person within any Citie, or Market Towne, shall buy or sell with any weight or measure, except it be marked, signed, or printed, in forme aforesaid, nor any other person, out of the said Cities, Bozoughs, and Market Townes, except it be like and equall with the said Standard. And euerie person

for aswell without Cities, Boroughes, and Market Townes, as within, shall buy and sell with a Busshell sealed, signed, & marked, after the forme aforesaid, and none otherwise. But this Act shall not extend to any person selling or buying by water measure within the Shipboard, but the same shall only containe five peckes after the said Standard raised & stricken. Neither shall this Act extend to any weights appertaining to cunage of Tinne within the Countie of Cornwall and Devonshire, but all such weights shall be used and corrected, as hath bin used. 11. H. 7. 4. 12. H. 7. 5.

Water measure.

Weights for cunage of Tinne.

10. All the Maiors, Bailifes, and other head Officers of every citie, borough, or market towne, shall cause twice in the yere, or oftner, as they shall thinke necessarie, all weights and measures within the said cities, &c. to be brought before them, and to be duly viewed, and examined, and such as they shall find defective, immediately to be broken and burnt, and the offender shall forfeit for the first time vs. viij. s. to the said Maior, Bailife, or any other having iurisdiction and correction in that behalf, and at the second time xij. s. iij. s. and at the third time xx. s. and for the further punishment, shall be set upon the Pillorie to the example of other. But the examination of defaults aforesaid, and punishment to the offenders of every offence committed within any of the five Ports, shall be done by the Lord Warden of the said five Ports, or by his Lieutenant, and none other. 7. H. 7. 3. 11. H. 7. 4. 12. H. 7. 5. S. Inst. of P. 92.

Viewing and examining weights and measures.

11. Every citie upon paine of r. l. every borough upon paine of C. s. and every towne where a Constable is, upon paine of xl. s. to be levied to the use of the k. so often as they shall be found defective, shall have a common Ballance with weights, according to the Standard of the Erchequer. 8. H. 6. 5. But these penalties shall not extend to any towne which is no citie, borough, or market towne. 11. H. 7. 4. By the aforesaid statute of 8. H. 6. the burgesses of the borough of Worcester, shall not be disturbed of their right to use their weighing by ry. myles about the same borough, using alwaies such common weights as be according to the Standard of the Erchequer. 9. H. 6. 6.

Every Citie, Borough, and market towne shall have a common ballance and weights.

12. At the common Ballance, and common weights sealed, of every Citie, Borough, and towne, all the Inhabitants of the same Citie, Borough, &c. may freely weigh without any thing paying, taking neuertheless of foreigners for every draught within the weight of xl. l. a farthing, for every draught betwixt xl. l. & C. l. an halfe penny, and for every draught betwixt C. l. and a p. l. a penny at the most, whereof the weights shall be maintained, & the officer rewarded by the discretion of the chief of the citie, borough, &c. according to his attendance. 8. H. 6. 5.

Every one may weigh at the common ballance and weights.

13. Just. of P. Sherifs, Echeators, and other Commissioners assigned by the k. have power by commission, to enquire of all falsifiers and counterfeiters of false weights, and to take and imprison them, and in prison to hold them without mainprile, untill they be acquitted or attainted, and if they be attainted, their bodies shall remaine in prison, untill they have made fine and ransome, according to the Justices discretion. 9. H. 5. 8. S. Inst. of P. 92.

Counterfeits of weights.

14. Wols, and all maner of Auer de poys shall be weighed by the ballance which is equal, and by lawfull weights sealed according to the Standard of the Erchequer, so that the tongue of the ballance shall be equal, without bowing to the one side, or to the other, or without putting hand or foot, or other touching thereof. and he which doth the contrarie, to the damage of the seller, shall forfeit to the k. the value of the goods so weighed, shall be two yeares imprisoned, and make fine at the k. pleasure, and the plaintife shall have his quadruple damages. 25. E. 3. 9. 27. E. 3. 10. 13. R. 2. 9. 8. H. 6. 5.

Weighing by equal ballance

15. By the Statutes intituled, Assisa panis & cervisie, Statutum panis & cervisie, Iudicium Collistrigij, Statutum de Pistoribus, Braceatoribus, & alijs Vi-

The Assise of Bread & Ale, tellarijs,

Weights and Measures.

cellarijs, made 51. Hen. 3. and 51. Edw. 1. there were severall ordinances provided for the prices of Bread and Ale, according to the price of Cozne, viz. when a quarter of Barley was sold for 9 s. that then Brewers should sell iiiij. gallons of Ale for 1 s. 8. when Barley was sold for 10 s. 6 d. the quarter, then viij. gallons for 1 s. 8. when barley was sold for 11 s. the quarter, then thre gallons for 1 s. 8. when for 12 s. 6 d. the quarter, then v. gallons for 1 s. 8. and when for 13 s. the quarter, then two gallons for 1 s. 8. and so should rise and fall, as the price of Cozne did rise and fall by 6 d. in the quarter. And there be also severall weights assayed of the wastell bread, the Cinniall, the Cocket bread, and Household bread, according to the price of Wheat rising and falling betwixt 19 s. 8. and 15 s. the quarter, all which sorts of Bread were ordained to be weighed by sterling money, as it was current in the Reignes of king Hen. 3. and king Edw. 1. viz. that a sterling pence should weigh xxxij. graines of Wheat in the middle of the eare, and that xx. of those pence should make an Dounce: which values, time sithence hath much altered: but omitting the value, & casting the iust weight of an Dounce, the same proportion in weight which the statute appointeth, is to be observed, and the weights and measures which be kept and used in cities, towns, and boroughs, according to the statute of 11. H. 7. and 12. H. 7. do agree with the foresaid old statutes in effect. And in the said old statutes is ordained that the prices of bread and ale shall not be changed, but as cozne riseth or falleth by 6 d. in the quarter. And that if the Baker or Brewer do breake the assise, the first, the second, and the third time, he shall be amerced, according to the quantitie of his offence, except his offence be great: but if his offence be great, or that he doth offend the fourth, or more often times, the Baker offending shall be set upon the pillorie, and the Brewer shall be punished by the Tumbrell, which punishments shall not be pardoned for gold or silver. And if the Bakers farthing bread be found lacking 15 s. 6 d. or under, (viz. an Dounce and demy Dounce) he shall be amerced, and if it exceed, he shall be set upon the pillorie. And the pillorie shall be of sufficient strength, that the Judgement may be executed upon the offenders without perill of the body. S. Brewers 2.

Sterling
penny.

- 1 By what measure Purveyors shall take Corne and other Victuall. S. Purveyors 16.
- 2 For the length, breadth, and weight of all maner of Cloth. S. Draperie 1. &c. 27. 67.
- 3 For the assise, length, and breadth of Couerlets made in Yorkshire. S. Couerlets 3.
- 4 For the content of each vessell of Wine, Hony, and Oyle. S. Wine 13.
- 5 For the content of a Butte, Barrell, halfe Barrell, or other vessell of Salmon. S. Fish 8.
- 6 For the content of a Barrell, halfe Barrell, and Firkin, of Herrings and Eeles. S. Fish 9. 10.
- 7 For the content and weight of Barrells and Firkins of Sope. S. Sope 1.
- 8 For the content of euery vessell made for Ale and Beere. S. Cowpers 2.
- 9 How he shall be punished, which occupying buying of pewter, or brasse, doth occupie any deceitfull beames, and weights. S. Pewter 4.
- 10 That woollen cloth shall be sold by the yard and ynoch. S. Draperie 67.
- 11 By what measure Millers shall take their Toll. S. Toll 2.
- 12 For the weight of Hempe, and how much shall be accounted for a stone. S. Cables 2.
- 13 The contents of euery Barrell, halfe Barrell, and Kilderkin of Hony: S. Waxe &c. 6. 14. S. 13. R. 2. 9.

Wcare

Weares.

By the Statute of Magna charta cap. 15. 16. and 23. it was provided, That ^{Bridges.} no Village or Freemen should be distrained to make any Bridges or Banks, ^{Banks.} but such as by right they had wont to make. For that any Bankes should be from thenceforth defended, but such as were defended in the time of King Henr. the 2. and by the same place, and the same bounds. And that all Weares should be who- ^{weares.} ly put downe by Thames, Medway, and throught all England: Saving by the sea coast.

2 All such weares, mills, stanks, stakes, and kiddels, which be leuied and set up in the time of R. Ed. the 1. and after, wherby ships and boats be disturbed that they may not passe in such Rivers as they were wont, shall bee taken away, and pulled downe, and not be set up againe, and therupon writs shal be sent to the Sherifes of the places where need shalbe, to suruey, inquire, and thereof make execution. And also Justices shal be assistant, as often as need shall require, 25. Ed. 3. 4. And if any such Rulance be pulled downe, according to the intent of the foresaid Statute, he that shall leuie, or set up the same againe, and thereof shall be in due manner attain- ^{These weares} quer, shall forfeit to the King C. Markes, to be leuied by the excheats of the Exche- ^{that be pulled} quer. And the same Law shall hold place of any annoyance committed by the en- ^{downe, & not} hancing of such weares, mills, stanks, stakes, and kiddels, as by the making of new. ^{repaired.} 45. Ed. 3. 2.

3 Commissions shall be directed in due forme to sufficient persons to be Justices in euerie Countie of England where need shall be, to suruey and keepe the wa- ^{Commissions} ters and great Rivers there, and to correct and amend the faults, and to make due ^{to suruey the} execution of the foresaid Statute of 25. and 45. Ed. 3. according to the effect thereof, ^{faults of} aswell by their suruey, aduice, and discretion, as by the Enquests thereupon to be taken within franchises, and without, if, and when need shall be, and to heare and determine the foresaid things. And moreover to suruey the weares, mills, stanks, ^{weares.} stakes, and kiddels, aunciently used and leuied befoze the time of R. E. 1. And those which they shall find too much enhanced or streitned, to abate, reforme, and amend, in maner and form aforesaid. Saving alwaies a reasonable substance of the weares, mills, stanks, stakes, and kiddels aforesaid, so in old time made and leuied. 1. H. 4. 12. S. 4. H. 4. 11. That Commissions shal be made to certaine Justices and other, in euery Countie where need shal bee, to inquire of all that which is contained in the said Statutes, and to punish the offenders of the same by fine, according to their dis- ^{Commissioners} cretion: Saving alwaies to the R. the pains comprised in the said Statutes. And the ^{allowance for} excheats of such fines shall be deliuered by the said Justices to the Sherife of euerie ^{their parties.} Countie by Indenture, and the Sherife shall pay of the issues and profits rising of the said excheats, to every of the said Justices for every day, that he shall travell to exercise the said Commission, iiii. s. and the Sherife shal thereof haue allowance in the Exchequer.

4 And if any such annoyance of weares, mills, stanks, stakes, and kiddels of passages, and straitnings in old time made and leuied, be iudged or awarded by the said Justices to be abated or amended, he which hath the fræhold thereof, shall execute the same at his owne costs, within halfe a yeare after notice thereof to him gi- ^{The foresettare} ten, vpon paine of C. Markes, to be paid to the R. by the excheats of the Exchequer. ^{of offenders.} And he which doth make them to be set up againe, enhanced, or streitned, contrarie to the said Iudgement, and thereof is duly conuict, shal forfeit to the R. C. Markes, to be paid as is aforesaid. And in case any man seeth himselfe grieved by excheats or other meane in this behalfe against right and reason, let him pursue it, and he shall haue right and reason. 1. H. 4. 11.

Weares. White Ashes. Wildfoule.

In offence not
reformed ac-
cording to the
Commissioners
award.

5 If by award of Judgement of any of the said Commissioners assigned according to the said Statute of 1.H.4. it be found, that any such weares, fishgarths, mills, mildams, millstankes, lockes, hebbing weares, stakes, kiddels, heckes, or floodgates be made, leuied, enhaunced, streited, or enlarged, contrarie to the same Statute, if the offendours in this behalfe, contrarie to the said award, rule, and iudgement, being duely warned by the Sherife, or Undersherife of the countie or counties wher such weares, fishgarths, &c. and other annoyances, disturbances, or impediments aforesaid shall bee found, made, leuied, streited, or enlarged, (by Scire facias being directed to the said Sherife, or Undersherife) do not within thre moneths next after the said garnishment made, at their owne costs and charges duely and fully amend, break downe, and auoid the said making, leuying, enhauncing, streitning, or enlarging, being defective, as in the foresaid Statute is specified: Then he or they which shall in this case offend, shall for. to the R. for every default C. Markes, by transcript to be deliuered into the Exchequer, in maner & forme, as in the said Stat. is contained. And if he offendour, his heire, heires, assigne, or assignees, or any of them do deferre, or continue the same defaults, contrary to the foresaid award, rule, and iudgement of the Commissioners aforesaid, he or they so deferring or continuing the same default, shall for. for every moneth after the said thre moneths ended, that the same default shall remaine and be not corrected, amended, nor reformed, C. Markes, to the R. and any of his subiects that will sue by A. of debt, wherein no W. C. P. &c. 12. Ed. 4. 7.

In offence
made by a
stranger.

6 If any person, other than such against whom such award, rule, or iudgement was made and had, not being heire or assignee to them, or any of them, will presume to occupie or continue any such weares, fishgarths, mills, mildams, millstankes, lockes, hebbing weares, stakes, kiddels, hecks, floodgates, or other disturbances, or impediments, as is aforesaid, he or they which doe presume to occupie or continue, shall for. for every default for every moneth, as is aforesaid, C. marks to the R. and any of his subiects that will sue by A. of debt, wherein no W. C. P. &c. 12. Ed. 4. 7. S. Sewers.

White Ashes.

White Ashes
shall not be
transported.

ND person shall ship, lade, carie, or conuey any White Ashes towards the parties beyond the Seas, upon paine of for. of bj. s. big. d. for every Bushell of such Ashes so to be shipped, or laden, to be caried or conueyed into the parts beyond the Seas, to the King and A. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. Ed. 6. 26.

Wildfoule.

Taking or
destroying
the Eggs of
wildfoule.

From the first day of March, vnto the last day of June yearely, no person shall willingly withold, purloine, take, destroy, or conuey any Eggs of any kind of Wildfoule, from any nest or place where they shall be laied by any kind of the same Wildfoule, upon paine of imprisonment for one whole yere, and to for. to the King and A. &c. for every egge of any Crane, or Bustard, so destroyed or taken from any nest or place xx. d. and for euery egge of euery Bitter, Heron, or Shouelard, big. d. and for euery egge of euery Mallard, Teal, or other wildfoule s. d. wherein no W. C. P. &c. This act shall not be hurtfull to any person that will destroy any Crowses, Choughs, Ravens, and Bustards, or their egges, or any other foule, or their egges, not comestible or bled to be eaten. 25. H. 8. 11. 3. Ed. 6. 7. S. Just. of P. 93. S. Felans &c. 1. 2. &c.

Wilds

Wills and Testaments.

All and euerie person and persons, hauing any manors, lands, tenements, or hereditaments, holden in Socage, or of the nature of Socage tenure, and not hauing any lands &c. holden of the King by knights seruice, by Socage tenure in chiefe, or of the nature of Socage tenure in chiefe, nor of anie other person or persons by knights seruice, shall haue full and free liberty, authoritie and power, to giue, dispose, will, and deuise, as well by his last Will and Testament in writing, or otherwise, by anie Act or Acts lawfully executed in his life, all his said Lands &c. or anie of them, at his pleasure: Any Law &c. notwithstanding. 32. Hen. 8. 1.

10. Julij, Anno Dom. 1540.
Lands holden in Socage, & none in chiefe, or by knights seruice.

2 All and euerie person and persons, hauing Manors, Lands, Tenements, or hereditaments, holden of the King, his heires, or successors, in Socage, or of the nature of Socage tenure in chiefe, and hauing anie other lands &c. holden of any other person or persons in Socage, or of the nature of Socage tenure, and not hauing any lands &c. holden of the King by knights seruice, nor of any other Lord or person by like seruice, shall haue full and free libertie, authoritie, and power, to giue, will, dispose, or deuise, as well by his last Will and Testament in writing, or otherwise, by anie Act or Acts lawfully executed in his life, all his said Manors, Lands, Tenements, and hereditaments, or anie of them, at his free will and pleasure: Any Law, Statute, Custome &c. notwithstanding. Hauing to the King &c. all his right, title, and interest of primer seisin, and reliefe, and also all other rights and duties for tenures in Socage, or of the nature of Socage tenure in chiefe, as heretofore hath bene used and accustomed, the same lands &c. to be taken, had, and sued out, of, and from his hands, by the person and persons to whom anie such lands, &c. shall be disposed, willed, or deuised, in such like maner and forme, as hath bene used by any heire or heires, befoze the making of this Statute. And sauing and reseruing also Fines for alienations of such lands &c. holden of the King in Socage, or of the nature of Socage tenure in chiefe, whereof there shall bee anie alteration of freehold or inheritance, made by will, or otherwise, as is aforesaid. 32. H. 8. 1.

Lands holden of the King in Socage in chiefe, and none holden by knights seruice.

The Kings primer seisin, and fines for alienations saved.

3 All and singular person and persons, hauing any manors, lands, tenements, or hereditaments, of estate of inheritance, holden of the Kings Highnesse in chiefe by knights seruice, or of the nature of knights seruice in chiefe, shall haue full power and authoritie by his last Will in writing, or otherwise, by anie Act or Acts lawfully executed in his life, to giue, dispose, will, or assigne two parts of the same lands, &c. in thre parts to be diuided, or else as much of the said lands, &c. as shall extend or amount to the yearely value of two parts of the same in thre parts to be diuided in certaintie, and by speciall diuisions, as it may be knowne in seueralltie, to, and for the advancement of his wife, preferment of his children, and payment of his debts, or otherwise at his pleasure: any law &c. notwithstanding. Sauing and reseruing to the King the custodie, wardship, and primer seisin, or anie of them, as the case shall require, of as much of the same lands &c. as shall amount and extend to the full and cleare yearely value of third part thereof, without anie diminution, dower, fraud, couin, charge, or abridgement of any of the same third part, or of the full profits thereof. Sauing also to the King &c. all Fines for alienations of all such lands &c. holden of the King by knights seruice in chiefe, whereof there shall be any alteration of freehold, or inheritance, made by will, or otherwise, as is abovesaid. 32. H. 8. 1.

Lands holden of the King in chiefe by knights seruice.

Wardship, primer seisin, and fines for alienations saved to the King.

4 All and singular person and persons, hauing manors, lands, tenements, or hereditaments, of estate of inheritance, holden of the king in chiefe by knights seruice,

Wills and Testaments.

Lands holden
in chiefe, and
other lands
holden by kn.
seruice,

wardship,
primer seisin,
& fines for al-
ienations sa-
ued to the K.

Certain lads
holden onely
of common
persons by
knights ser-
uice, and other
in socage.

The Lord
wardship of
the third part
saue.

Certain lads
holden of the
king and cer-
tain of others
by knights
seruice, and
other lands
holden of o-
thers in so-
cage.

The king
and other
lords third
part saue.

seruice, and hauing other lands, &c. holden of the K. or of any other person or persons, shall haue full power to giue, dispose, will, or assigne by his last Will in writing, or otherwise, by any act or acts lawfully executed in his life, two parts of the same lands, &c. in three parts to be diuided, or else so much of the same lands, &c. as shall extend to the yearely value of two parts, of the same in three parts to be diuided in certaintie and by speciall diuisions, as it may be knowne in seuerallie, to and for the advancement of his wife, preferment of his childzen, and payment of his debts, or otherwise at his pleasure: any law &c. notwithstanding. Sauing to the king the custodie, wardship, and primer seisin, or any of them, as the case shall require, of as much of the same Lands &c. as shall amount and extend to the full and cleere yearely value of the third part thereof, without anie manner diminution, dower, fraud, couin, charge, or subtraction of the same third part, or of the full profits thereof. Sauing alway and reseruing to the king all fines for alienation of any such lands &c. holden of him by knights seruice in chiefe, whereof there shall be any alteration of frehold or inheritance, made by Will or otherwise, as is abouesaid. 32.H.8.1.

5 If any person or persons, hold any manors, lands, tenements, or hereditaments onely of any other Lord or person, then of the king by knights seruice, and other lands &c. in socage, or of the nature of socage tenure, then euerie such person shall or may giue, dispose, or assure by his last Will or otherwise, by any act or acts lawfully executed in his life, two parts of the said Lands &c. holden by knights seruice, or of as much thereof as shall amount to the full yearely value of two parts, in manner and forme as is aboue declared, and also all the Lands and tenements holden by socage, or of the nature of socage tenure at his will and pleasure, as is aboue written. Sauing to the Lord of the Lands and tenements holden by knights seruice, for his custodie and wardship, as much of the same Lands and Tenements as shall amount to the full and cleere yearely value of the third part of the same lands and tenements holden by knights seruice, without anie diminution, dower, fraud, couin, charge, or subtraction of anie portion of that third part, or of the cleere yearely value thereof, in maner and forme aforesaid. 32.H.8.1.

6 If anie person or persons hold anie manors, lands, tenements, or hereditaments, onely of the king by knights seruice, and not in chiefe, or hold anie Lands, &c. of our said Soueraigne Lord by knights seruice, and not in chiefe, and also hold other Lands &c. of anie other person or persons by knights seruice, and also hold other Lands &c. of anie other person or persons in socage, or of the nature of socage tenure: Then all and euerie such person and persons shall and may giue, dispose, will, denise, and assure by his last Will, or otherwise, by anie act or acts lawfully done or executed in his life, two parts of the same lands &c. holden of the king by knights seruice, and two parts of the same lands &c. holden of anie other person or persons by knights seruice, or as much of either of them, as shall amount to the full yearely value of two parts, in manner and forme as is aboue declared, and also of all his Lands and Tenements so holden in socage, or of the nature of socage tenure, at his free will and pleasure. Sauing and reseruing to the king the custodie and wardship of as much of the said Lands &c. as shall extend and amount to the full cleere yearely value of the third part of the said Lands &c. so holden of him by knights seruice, without any diminution, dower, fraud, couin, charge or subtraction of any portion of that third part, or of the full profits thereof. And also sauing to the Lord of whom any of the said Lands &c. bee holden by knights seruice, for custodie and wardship, as much of the same lands &c. holden of them, or anie of them by knights seruice, as shall extend and amount to the cleere yearely value of the third part of the same, without anie diminution, charge, fraud, couin,

or subtraction of any portion of that third part, or of the cleere yearely value of the third part thereof, in maner and forme aforesaid. 32. H. 8. 1.

7 If that third part of the manors, lands, tenements, or hereditaments which in any of the cases abovesaid, shall come to the king, his heires &c. by vertue of this act, as is abovesaid, be not, or doe not amount to the cleere yearely value of the full third part of all the said lands &c. whereof the King is or shall be intituled to haue the custodie or primer seisin, as is abovesaid: Then our said Soueraigne Lord and his heires, shall and may at his or their free libertie, take into his or their hands and possession, as much of the other two parts of the said lands &c. as with that of the same lands &c. remaining in his hands, shall make up the cleere yearely value of the full third part of the said lands &c. so to be had to the King in title of wardship and primer seisin, or any of them, as the case shall require. And like benefit and advantage shall be given to euery Lord and Lords of whom any such lands &c. bin or shall be holden by knights seruice, as is abovesaid, concerning only his third part, of, or for title of wardship. 32. H. 8. 1.

The King or other Lord may take so much as will make up their full third part.

8 Euery person and persons shall sue their liveries for possessions, reuerfions, or remainders, and also pay relieves and hariots, after such maner and forme, as they should or ought to haue done befoze the making of this Act, and as if this Act had neuer beene made. And fines for alienations shall be payed in the Kings Chancerie, for and vpon Writts of Entrie in the Post, to be obtained in the same Court for common recoveries to be had or suffered of any Manors, Lands, Tenements, or Hereditaments holden of the King in chiefe, in like manner and forme as is vsed vpon alienations of such Lands &c. so holden in chiefe by fine or feoffment. But in such cases where fines for alienations shall be payed in the Chancerie for writts of Entrie in the Post, as is aforesaid, then none other fine shall be payed in the same Court for any such Writts: Any vsage &c. notwithstanding. 32. Henr. 8. 1.

Suing of Liverie.

Fines for alienations vpon common recoveries.

9 Sauing to all and euery woman & women, all and euery such right, title, and interest of dower, as they or any of them ought to haue, or shall be iustly intituled to haue, claime, or degraund of any manors, lands, tenements, or hereditaments, by the Lawes of this Realme, to be taken or assigned to them, or any of them, out of the two parts of the said lands &c. severed and diuided from the third part, as is abovesaid, and not otherwise. And sauing also to the King his heires and successors, the reuerfions of all such tenants in ioint tenure and dower, immediately after the death of such tenants, if they shall happen to die during the minority of the Kings ward. 32. H. 8. 1. S. Wardes 25.

The womans title of dower in the two parts saved.

The reuerfion after tenant in dowers death

10 Where it is contained in the same Statute of 32. H. 8. within diuers branches of the same, That all and singular person and persons hauing any manors, lands, tenements, or hereditaments, of estate of inheritance, should haue free libertie to giue, will, dispose, or assigne, as well by his last Will and Testament in writing, or otherwise, by any act or acts lawfully executed in his life, his manors, lands, tenements, or hereditaments, or any of them in such manner and forme, as in the same Act it both appeare, which wordes of estate of inheritance by the authozitie of this Parliament, are and shall be expounded, taken, and iudged of estates in fee simple only. 34. H. 8. 5.

The expolition of the aforesaid Stat. of 32. H. 8.

The Stat. extendeth only to fee simple lands.

11 All and singular person and persons, hauing a sole estate or interest in fee simple, or seised in fee simple in coparcenarie, or in common in fee simple, or, and in any manors, lands, tenements, rents, or other hereditaments in possession, reuerfion, or remainder, or of rents or seruices, incident to any reuerfion or remainder, and hauing no manors, lands, tenements, or hereditaments, holden of the King &c. or of any other person or persons by Knights seruice, shall haue full and free libertie, authozitie, and power, to giue, will, dispose, or deuise, to any person

Sole tenant, tenant in common, a coparcenary in fee, of lands in possession, in reuerfion, or remainder.

Wills and Testaments.

Devising of
rent or com-
mon out of
lands.

son or persons (except bodies politike and corporate) by his last Will and Testament, in writing, or otherwise, by any Act or Acts lawfully executed in his life, by himselfe only, or by himselfe and other jointly, severally, or particularly, or by all those wayes or any of them, as much as in him of right is, or shall be, all his said lands, &c. or any of them, or any rents, commons, or other profits or commodities, out of, or to be perceived of the same, or out of any parcell thereof, at his owne free will and pleasure: Any clause in the said former Act notwithstanding.

34.H.8.5.

Certaine
lands holden
of the king by
knights ser-
vice in capite,
and other of o-
ther persons.

12 All and singular person and persons, having a sole estate or interest in fee simple, or leased in fee simple in coparcenarie, or in common in fee simple, or, or in any manors, lands, tenements, rents, or other hereditaments, in possession, reversion or remainder, holden of the king by knights service in chiefe, or of the nature of knights service in chiefe, hath and shall have full and free libertie, power, and authoritie, to give, dispose, will or assigne to any person or persons (except bodies politike and corporate) by his last Will and Testament in writing, or otherwise by any act or acts lawfully executed in his life, by himselfe only, or by himselfe and other jointly, severally, or particularly, or by all those wayes, or any of them, as much as in him of right is, or shall be, two parts as well of all the said lands &c. as of all and singular his other rents and hereditaments, or of any of them, or any rents, commons, or other profits or commodities, out of, or to be perceived of the same two parts, or out of any parcell thereof, in three parts to be divided, or as much thereof as shall amount to the full and cleere yearly value of two parts thereof, in three parts to be divided, of what person or persons soever they be holden, at his free will and pleasure. And the said Will so declared, shall be good and effectuell for two parts of the said lands &c. although the will so declared be made of the whole, or of more then of two parts of the same. The same devison to be made and set forth by the deviser or owner of the same lands &c. by his last Will in writing, or otherwise in writing. And in default thereof, by a Commission to be graunted out of the kings court of Wards and Liveries, upon the inquirie of the true value thereof, by the oathes of six men, and returne a certificate thereof had in the same Court of the said lands &c. division to be made by the Master of the Wards and Liveries, if the said Master and the parties thereunto cannot otherwise agree upon the same division. And the issues and profits of the two parts of the same lands &c. upon every such division to be restored to them that shall have right or title to the same, from the death of the owner or deviser thereof. 34.H.8.5.

A will good
for two parts
though it be
made for the
whole.

Division of
the lands.

Certaine
lands holden
of the king or
others by
knights ser-
vice and cer-
tain in socage.

13 All and singular person or persons, having a sole estate or interest in fee simple, or leased in fee simple in coparcenarie, or in common in fee simple, or, and in any manors, lands, tenements, rents, or other hereditaments in possession, reversion, or remainder, or of and in any rents or services incident to any reversion or remainder, holden of the king &c. by knights service, and not in chiefe, or holden of any other person or persons by knights service, shall have full and free libertie, authoritie, and power, to give, dispose, will, or devise to any person or persons (except bodies politike or corporate) by his last Will and Testament in writing, or otherwise, by any act or acts lawfully executed in his life, by himselfe only, or by himselfe and other jointly, severally, or particularly, or by all those wayes, or any of them, as much as in him of right is, or shall be, two parts of all the said lands &c. or of any of them so holden by knights service, or any rents, commons, or other profits or commodities, out of, or to be perceived of the same two parts, or out of any parcell thereof, in three parts to be divided, or as much thereof as shall amount to the full and cleere yearly value of two parts thereof, in three parts to be divided, at his free will and pleasure. And the last Will so declared, shall be good and effectuell for two parts of the said lands &c. although the

A will made
of the whole
shall be good
for two parts.

the Will so declared, be or shall be made of the whole lands &c. so holden by knights service, or of more then of two parts of the same, and also for the whole of all other such lands &c. or any of them, not holden of the king by knights service in chief, or otherwise by knights service, or of any other person by knights service, and of anie rents, commons, or other profits or commodities, out of, or to be perceived of the same, or out of any parcell thereof, at his free will and pleasure. The same division to be made and set forth by the owner of the said lands &c. by his last Will in writing. And in default thereof, for as much of the same lands &c. as shall concerne the kings interest, by commission to be directed out of the kings court of wards and liveries, in maner and forme aforesaid, if the said master of the wards &c. and the parties thereunto cannot otherwise agree vpon the same division. And restitution of the issues and profits of the two parts thereof shalbe had and made in maner and forme abovesaid. And for such of the same lands &c. as shall concerne the interest of anie other Lord or Lords, by commission to be graunted out of the Chancerie, to enquire thereof by the othes of xij. men, if the same Lord or Lords, and the parties therunto cannot otherwise agree vpon the same division. 34. H. 8. 5.

14 The saving referuings, and provisions, concerning saving of the custodie, wardship, reliefe, primer seisin to the king, of such manors, lands, tenements, and hereditaments, or as much thereof as shall appertaine to him by vertue of these two Acts, during the kings interest therein: And also of the custodie and wardship to other Lords, of as much of such lands &c. holden of them as shall amount and extend to the cleere yearely value of the third part thereof above all charges, without any diminution or abridgement of the third part, or of the full profits thereof, comprised in diuers articles in the said former Act of 32. H. 8. contained, be and shall be expounded, and taken as hereafter ensueth, viz. The King shall haue and take for his full third part of all such manors, lands, tenements, and hereditaments, whereunto he is or shall be intituled by the said former Act, and by this Act, such lands &c. as shall by any meanes descend, or come by descent, as well of estate of inheritance, in fee taile, as in fee simple, or in fee taile onely, to the heire of any such person that shall make any Will, gift, disposition, or devise, by his last Will in writing, or by any act or acts lawfully executed in his life, immediately after the death of the same deviser or owner thereof. And the will, gift, and devise of euerie such deviser or owner, of, and for the two parts of the said lands &c. residue shall be and stand good and effectuell in the Law, albeit the same will, gift, or devise be had and made of all his fee simple lands &c. or of the more part thereof. And in case the same lands &c. which after the death of anie such owner or deviser, which shall make any such gift, disposition, or devise by his last Will in writing, or otherwise, by any act or acts lawfully executed in his life, to his wife, children, or otherwise, as is aforesaid, which shall immediately after his death descend, reuert, remaine, or come to his heire or heires, as well of estate of inheritance in fee taile, as of estate in fee simple, or fee taile onely, bee not or shall not amount or extend to the full cleere yearely value of the third part, with the full profits thereof, of all the said lands &c. of the said deviser or owner, according to the true intent of the said former Act, and of this Act: Then the King shall and may haue and take into his hands and possession to make vp his full third part, with the full profits thereof, according to his interest therein, as much of the other Lands &c. willed, given, disposed, or assigned by any such person to his wife, children, or otherwise as is aforesaid, as with such of the same Lands &c. descended, or by any meanes come vnto the heire (as heire of any such deviser or owner) shall make vp the cleere yearely value of the said full third part, with the full profits thereof, of all the said lands &c. of euerie such owner or deviser so to bee had to the King in title of wardship or primer seisin, as the case shall require. And the division

An exposition of the savings, referuings, & provisions made in these two Acts.

A remedie, where a full third part is not left.

Wills and Testaments.

tion thereof to be had and made, and with the restitution of the profits of the two parts of the said lands &c. in such manner and forme as is above rehearsed. And like benefit and advantage shall be given, had, and taken to everie Lord and Lords, of whom any such lands &c. be or shall be holden by knights service in maner and forme abovesaid concerning only his or their third parts therof according to their said interest therein. 34. H. 8. 5.

A remedie, if
the third part
be evicted.

15 If it happen the same third part, or anie part thereof, left, willed, or assigned to the King, or other Lord, at anie time during their interest therein, to be lawfully evicted or determined: Then the King and the other Lord shall have as much of the two parts residue, as shall accomplish and make up a full third part in cleere yearely value, after the rate and poztion of such lands, &c. as shall then remaine of the same third part not evicted or determined, and of the other two parts of such Lands &c. as the King or other Lord should or ought to have had by vertue of the said former Act, and this Act, and the same to be divided in forme above rehearsed: Any clause in the said former Act of 32. H. 8. notwithstanding &c. 34. H. 8. 5.

A pardon of
alienation must
be sued by
those to whom
lands holden
in Capite be
devised.

16 The saving and reserving for fines for alienations by any such last Will and Testament of such lands &c. holden of the King by knights service in chiefe, or of the nature of knights service in chiefe, or by Socage in chiefe, or of the nature of Socage tenure in chiefe, or for fines for alienation of such lands &c. wherof there shall be any alteration of freehold, or inheritance made by any such last Will, comprised in sundrie Articles mentioned in the said former Act, be, or shall be, intended and indged, that all such person or persons to whom the said lands &c. or anie of them be, or shall be given, disposed, willed, or devised by any such last Will, shall be exonerated, acquitted, and discharged for ever against the king, his heires and successors, for all such fines for alienations, by anie such last Will or Testament, without licence, by suing forth of the kings pardon for alienation out of the Chancery, paying to the king, his heires or successors, for the fine of everie such alienation, the third part of the yearely value of the same manors, lands, tenements, or other hereditaments to him or them willed or devised. And this Act from time to time shall be a sufficient warrant to the Lord Chauncello, or Keeper of the great Seale for the time being, for the granting out of the said pardons under the great Seale, as heretofore hath bin used for pardons for alienations without further suit to the king &c. 34. H. 8. 5.

Women co-
heirs.
Infants.
Idiots.
Lunatics.
Contribution
for any lands
taken away.

17 Wills or Testaments made of any manors, lands, tenements, or other hereditaments, by any woman covert, or person within age of xxi. yeares, Idiot, or by any person De non sana memoria, shall not be taken to be good or effectuell in the law. 34. H. 8. 5.

18 All and everie person and persons, from whom the king or other Lord or Lords shall take any lands &c. for his or their full third part, or to make up his or their full third part, shall and may in any of the cases aforesaid, upon his or their bill exhibited in the Chancery against all and every such person and persons which shall be intituled, by or under any such will, gift, disposition, or devise, to the other two parts, have such contribution, or recompence for the same, as by the Chancelor of England, or by the keeper of the great Seale for the time being, shall be thought good. 34. H. 8. 5.

19 But this Act and explanation both not extend to the Will or devise of Sir John Gaynford, Sir Peter Filpor, Richard Creswell, or of Thomas Vnton, or shall be hurtfull to any persons concerning any lands, hereditaments, &c. contained and specified in any of the said Wills or devises, but the said Wills and everie of them, shall remaine in the same effect to all intents as they were before. 34. H. 8. 5.

20 All widowes may bequeath the crop of their grounds, aswell of their dowers, as of other their lands and tenements: Saving to the Lords of the fee, all such services as be due for their dowers and other tenements. Merton. 20. H. 3. 2.

Widowes may bequeath their crop.

21 In case any Incumbent happen to die, and before his death hath caused any of his Glebe lands to be manured and sowed at his proper costs with any Cozne: then every such Incumbent may make his Testament of all profits of the cozne growing upon the same Glebe lands so manured and sowed. 18. H. 8. 11. S. Ecclesiastical 30.

Incumbent may bequeath the crop of his glebe.

1 For the proving of Wils, committing administration, the Ordinarie and his ministers fees, & their duties therefore. S. Probate of Testaments.

2 Fraudulent Wils to defeat the Lord of Wardship, or other advantages. S. Wards 24.

Wines.

The Lord Chancellor, the Lord Treasurer, Lord President of the B. Council, Lord Privie Seale, and the two chiefe Justices of either bench, or five, four, or three of them, haue authoritie by their discretions, to set the prices of all kind of wines, viz. of the prices of the butt, tunne, pte, hogshed, puncheon, tierce, barrel, or runlet, when it shalbe sold in grosse, so that they or any of them cause the prices by them set to be written, & open proclamation thereof to be made in the Chauncerie openly in the Terme time, or else in the Citie, Bozough, or Towne, where any such wines shalbe sold in grosse. 28. Hen. 8. 14. And by the statute of 37. H. 8. 23. the said persons shall verely set the prices of all kind of wine, mentioned in the foresaid act, betwixt the xx. day of November, & the last day of December, and at no other time. S. 5. Ed. 6. 17. & the said statute of 37. H. 8. and Quere if this last part of the bzaunch remaine in force.

Prices of wines shall be assessed by the chiefe Magistrate.

2 If any person after such prices bee set and put in writing by the said Lords, or by five, four, or three of them, and proclamation thereof had (as aforesaid) do sell any Wines in grosse, by any couin, contrarie to the said prices so set and proclaimed, then he shall forfeit for everie vessel by him sold in grosse, contrarie to the said prices 1l. s. the one halfe to the King, and the other halfe thereof (if it bee in any Citie, Bozough, or Towne Corporat) to be to the Maiors, Sherifes, Baylives, or other head rulers thereof, and if it be without Citie, &c. then to be to the B. and J. &c. to be recovered by A. J. &c. wherein no W. C. B. &c. 28. H. 8. 14. S. Iustice of peace 94.

Quere,

The forf. of them which sell wines in grosse contrary to the prices assessed.

3 Everie Merchant and other person which shall haue wines to be sold, and refusing to sell or deliver, or not selling any of the same wines for readie mony, therfore to be paid, according to the price thereof then being set, shal forfeit the value of the wine so required to be bought, to the B. and J. to be recovered by A. J. &c. wherein no W. C. B. &c. 24. H. 8. 6.

Denying to sell wines at the prices assessed.

4 It shall be lawfull to all and singular Justices of Peace, Maiors, and other head Officers, in Shires, Cities, Bozoughs, and Townes, and in other places of this Realme within the precincts of their Offices, at the request of any of the B. subjects to whom any denier of sale, or from whom any restraint of sale of any such wines shall be made, and full payment thereof without delay offered to be made, according to the prices then set by the foresaid Lords and Justices &c. to enter into the houses, cellars, and other places where such wines shall lie, and to sell, & to deliver the same desired to be bought, to the person requiring to buy the same, taking of the buyer thereof, to the use of satisfaction of the forfeiture aforesaid after the rate of the prices thereof set, as is aforesaid. 24. H. 8. 6. S. 37. H. 8. 23. somewhat like the matter, and Quere if it remaine in force. 5. Ed. 6. 17.

Where Just. of peace or other officers may sell other mens wines.

¶ h h h

s. 3f

Wines.

He that keepeth wine to spend in his house or to retail, shall not be forced to sell it.

5 If at the time of any such sale of wine purposed to be made, the merchant vintner, or other owner thereof, do truly shew to the said Justice or head Officer purposing to make the said sale, what, and how much wine he then shall have, and depose upon his bodily oath, to be made and given by the discretion of the same Justice or head Officer, that he keepeth the same wines, to the intent only to draw and expend the same in his house by retail, or otherwise, and not to sell any of them in grosse: Then the same Merchant, or Owner, shall keepe the same wines without any sale, and without any forfeiture for refusal or restraint of sale thereof. And in case that after such oath the same owner do sell the same wines, or any of them in grosse, viz. by the tun, but, tierce, pipe, hogthead, barrel, or rundlet, he shall forfeit the double value of all such Wines so sold in grosse, to the R. and J. to be recovered by A. &c. wherein no W.C.P. &c. 24.H.8.6.

None shall retail wines but in market townes, &c.

6 It shall not be lawfull to any person within any of the R. dominions of England or Wales, to keepe any Tauerne, or to sell, or vtter by retail, by the gallon, or lesse, or greater measure, in any place, any of the said wines, within any of the said dominions, except it be in cities, townes corporat, boroughs, port townes, or market townes, or in the townes of Grauesend, Sittingborne, Turfoid, and Bagshot, upon paine that euerie person that shall so offend, shall forfeit for euery day so offending, v. l. to the R. and J. to be recovered by A. &c. wherein no W.C.P. &c. 7. Ed.6.5.

Vintners in corporat townes assigned by the head officers.

7 It shall not be lawfull to any person or persons, to keepe any Tauerne, or sell, or vtter by retail, by the gallon, or lesse, or greater measure, in any citie, borough, or towne corporat, any manner of Wines, but onely such person and persons as shall be thereunto nominated and assigned by the head Officers, and the most part of the common Councell, Aldermen, Burgeses, Jurates, or Comminaltie of such Citie, Borough, &c. where such person or persons shall tauerne, sell, or vtter wine by retail, as is aforesaid: The said nomination and assignment to bee made by writing vnder the common Seale of such Citie, Borough, &c. and shall continue in their force, or be changed, at the election and pleasure of the head Officer or Officers, and the most part of the Common Councell, Aldermen, Burgeses, Jurates, or Comminaltie, for the time being of such Citie and Borough, &c. by writing, and vnder such common Seale, as is aforesaid. For it shall be lawfull to any person or persons to keepe any Tauerne, or to sell, or vtter any wine by retail, as is aforesaid, in any Citie, Borough, Port Towne, or Market Towne, not corporate, within England or Wales, or in the said Townes of Grauesend, Sittingborne, or Bagshot, but onely such person or persons as thereunto shall be nominated and appointed, by all, or the most part of the Justices of Peace of such Countie where such Tauerne or selling of wine by retail shall be allowed, as shall be present at the generall Sessions for the time being, holden within euerie of the said Counties, the said appointment to be had and made in full Session, by writing vnder the seuerall Seale of euerie of the said Justices, and to be continued, altered, or changed, in like forme, and by like authoritie, as is last aforesaid, upon paine, that euerie person that shall sell or retail any Wine, being not thereunto licenced and authorized, as is aforesaid, shall forfeit for euery day that he shall so offend, v. l. to the R. and J. to be recovered by A. &c. wherein no W.C.P. &c. 7. E. 6.5.

Vintners in Townes not corporat assigned by Justices of P.

8 No person or persons hauing authoritie by this Act to nominate or assigne what persons shall Tauerne, vtter, or sell wine by retail, as is aforesaid, shall appoint by his or their writing any greater number of Tauerne, or Wine-cellars, than two, by retail to sell, or vtter wine, or keepe or continue any Tauerne at any time in any one Citie, Borough, Towne corporat, port towne, or market towne, or in Grauesend, Sittingborne, or Bagshot (all and euerie such Citie and Towne here:

How many Tauerne may be appointed in euery citie or towne.

hereafter expressely named, onely except) And it shall not be lawfull to appoint by writing in the Citie of London to sell or utter wine by retails, at any time, above the number of 40. Tauerne, or Wine-cellars, and in Poike 8. in Pozwich 4. in Westminster 3. in Bzistolw 6. in Lincolne 3. in Kingston vpon Hull 4. in Shrewsburie 3. in Excester 4. in Salisburie 4. in Gloucester 4. in Westcheester 4. in Hereford 3. in Worcester 3. in Southhampton 3. in Canterbury 4. in Ipswich 3. in Winchester 3. in Orford 3. in Cambridge 4. in Colechester 3. in Newcastile vpon Tyne 4. Tauerne or Wine-cellars, vpon pain, that enery person authorisid by this act to assigne Tauerne or Wine-cellars, to soyl. for enery nomination or appointment by him made, contrary to the forme of this Act v. E. to the B. and J. to be recovered by A. J. wherein no W. C. P. &c. 7. Ed. 6. 5.

9 No person shall sell or utter by retails any kind of wine to be drunk or spent in his mansion house, or other place in his tenure, or occupation, by any colour, craft, or meane, vpon paine to forfeit for enery such offence x. l. to the B. & J. &c. to be recovered by A. J. &c. wherein no W. C. P. &c. 7. Ed. 6. 5.

10 This Act shall not extend to charge any person with any penaltie or forfeiture concerning any offence to be done contrarie to the tenor thereof, vnlesse the offender be sued, indicted, or presented for the same, within one yeare next after the same offence committed. 7. Ed. 6. 5.

11 This Act shall not be preiudiciall to any of the Vniuersities of Orford and Cambridge, or to the Chauncelloz or Schollers of the same, or their successozs, or any of them, to impaire, or take away any of the priuiledges, franchises, or authorities to them, or any of them belonging, but they, and euery of them, and their successozs, may haue, vse, and enioy all their priuiledges, franchises, &c. so that there be not any greater number of Tauerne kept within any of the said towne of Orford and Cambridge, than may be lawfully kept by the prouision of this statute. 7. E. 6. 5. S. Inst. of P. 95. Leetes 13.

12 Allay shall be made of Wines twice enery yeare, once at Easter, and another time at Michaelmas, and moze often if neede be, by the Lordz of the towne, and their Wailifes, and also by the Maiors and Wailifs of the same towne, and all wines that shall be found corrupt, shall be poured out, and the vessels broken. And the Chauncelloz and Treasurer, Iustices of the one Bench, and the other, and Iust. of Assise, haue power to enquire of the Maiors, and Ministers of Townes, if they do not according to this stat. and besides that, to punish them as reason shall require. 4. Ed. 3. 12.

13 No Merchant, nor other person, shall bring, or cause to be brought into this Realme, any But of Palmesey to bee sold, vnlesse it do containe in measure at the least, 126. gallons. Nor no manner of vessels, with any manner of Wines, whose soeuer they be, or of what Countrie soeuer they be, nor no manner of vessels of Oyle, vnlesse the same vessels of Wines or Oyle do containe the measure and assise following, viz. Euery Tunne to containe 252. gallons, euery Pipe 126. gallons, euery Tercian, or PUNCHION 84. gallons, and euery Hogshed 63. gallons, and euery Tierce 41. gallons, and euery Barrell 31. gallons and demy, and euery Rundlet to containe 16. gallons and demy. And the vessels of Wine and Oyle brought into this Realme to be sold, shall not be put to sale, vntill they be well and truly gauged by the Kings Gaugeor, or his sufficient deputie, vpon paine to forfeit to the B. all the said wines and oyles sold contrarie to this ordinance, or the value of the same. 2. Hen. 6. 11. 18. H. 6. 17. 1. R. 3. 13. 28. H. 8. 14. S. 14. R. 2. 8. that no person shall bee impeached for not gauging of Renish wines, & Q. Euery Tunne, Pipe, Tercian, and other vessels aforesaid, of Honey, shall containe the quantitie aforesaid, and be gauged, in maner and forme aboue expresse, vpon the paine aboue limited. And euery Gaugeor shall haue for his labbur for the gauging of euery

No man shall retails wine to be spent in his house.

within what time the forfeit shall be taken.

The liberties of Cambridge and Orford reserved.

Wines shall be assayed, & the corrupt poured out.

The contents of each vessel of wine.

All vessels of wine and oyle shall be gauged

The contents of a vessel of Honey.

Wines. Witnesse.

Tun and Pipe of Dyle and Honie, as he taketh for every Tun and Pipe of wine, and for every Mercian & Hogshed after the rate. 18.H.6.17. S. Waxe and Hony 6. this assise somewhat altered for honie.

*The Gauge-
or for if the
bessell lacketh
his content.*

14. Everie Gaugeor within this Realme, shall truly and effectually within the limits of his office, gauge all the said Tuns, Buts, Pipes, Tierces, Punchions, Mercians, Barrells, Hogsheds, and Rundlets, and shall plainly and truly marke upon the head of everie such vessell the content of the same, upon paine to forfeit to the partie, to whose use the Wine, Dyle, or other thing therein being shall bee sold, foure times the value of that which the vessell so marked shall lacke of his lawfull content abovesaid: The same forfeiture to be recovered over and above the costs of the suit, by the kings original writ, or by bill, in any of the kings Courts of his Common Lawes, or in any competent Court, having iurisdiction in the place where that offence shall be committed, by A. or B. of debt, wherein no W.C.P. &c. And everie person selling the said Wine, Dyle, or other thing contained in the said vessell marked, shall allow the price thereof to the buyer of the same for every quantitie of Wine, Dyle, or other thing contained in the said marked vessell, the full value of the lack thereof, being by reason of default of full gauge of the vessell marked, or of default of filling of the same vessell, after the rate of the whole price of the Wine, Dyle, or other thing so being sold by the vessell marked, upon paine of forfeit. to the same buyer, the double value of the same vessell, and wine, dyle, or other thing therein, being so sold, the same forfeit. to be recovered together with the costs of the suit, in forme abovesaid. 28.H.8.14. 1.R.3.13. 18.H.6.17. 27. Ed.3.8.23.H.6.16.

*How he shall
be recompens-
ed, which
lacketh his
measure.*

1 Merchants Aliens shall carie no Wines out of the realme, but shal sell them here in grosse. S. Merchants 1.

2 In what Vessels any French Wines may be brought into this Realme. S. Ships 4.5.

3 What custome or subsidie shall be paid for sweet Wines brought in. S. Custome 5.

Witnesse.

*A witnesse
upon proces
served, &c. shal
appeare.*

If any person, upon whom any Proces out of any of the Courts of Record, within this Realme, or Wales, shall be served to testifie, or depose, concerning any matter depending in any of the same Courts, and having tendered to him, according to his countenance or calling, such reasonable summes of money for his costes and charges, as (having regard to the distance of the places) is necessarie to be allowed in that behalfe, do not appeare, according to the tenor of the said Proces, having not a lawfull and reasonable let to the contrarie: Then the partie making default, shall forfeit for every such offence x. pounds, and shall yeeld such further recompence to the partie grieved, as by the discretion of the Judge of the Court, out of the which the said proces shall be awarded, according to the losse and hinderance, that the partie which procured the said Processe, shall sustaine, by reason of the non-appearance of the said witnesse: The said severall summes to be recovered by the partie so grieved, against the offendor, by A. B. P. &c. in any of the Duchies Courts of Record, wherein no W.C.P. &c. 5. Elizab. 9. 29. Elizab. 5.

*Proces a-
gainst the
witnesse of a
dead denied.*

2 When a deed, release, acquittance, or other writing is denied in the Kings Court, wherein witnesses be named, Proces shall be awarded, to cause such witnesses to appeare, so that if none of them come in at the great distresse returned, or if it be returned, that they have nothing, or that they cannot bee found, yet the taking of the Enquest shall not be deferred by the absence of such witnesses. And if the

the witnesses do come in that great distresse, and the enquest for some cause remaine untaken, the witnesses that come in, shall haue like day giuen them, as is assigned for the taking of the Enquest: at which day, if the witnesses doe not appeare, the issues that were first returned vpon them, shall be forfeited, and the taking of the Enquest shall not be deferred, because of their absence. And for absence of witnesses dwelling within Franchises, where the Kings writ original doth not lye, the taking of an Enquest shall not be deferred. 12. Edw. 2. 2. See Trial 9.

1 The penaltie for procuring any witnes to commit wilful Periuurie, or being a witness to commit wilfull periuurie. S. Periuurie 1. 2.

Woods.

If and vpon all and singular severall Woods, commonly called copie woods, or vnderwoods, which shall be felled at xiiij. yeares growng, or vnder, there shall be left standing and unfelled for euerie acre of Wood, that shall be felled within the said copie, xij. standils, or stozers of Oke, and if there be not so many standils of Oke, then there shall be left so many of other kind, viz. of Elm, Ash, Aspe, or Beech, as shall make the said number of xij. likely to be timber trees, the same to be of such standils, as haue ben left there standing at any felling of the same wood, within time past. And in case there be no such stozers there standing, which were there left at the last felling of the same woods: then the same standils shall be left at the next felling of the said woods &c. of such most likeliest Okes, and if there be not sufficient of Okes, then of the most likeliest Elmes, Ash, Aspe, or Beech, to proue timber trees, as shall grow within any such severall woods, copie, or vnderwoods. And the same standils so left, shall be preserved and not felled, till euerie of them shall be of ten ynches square, within thre foot of the ground, vpon paine that euerie owner of euery such standils, hauing an estate of inheritance, or for terme of life, or freehold, or by Copie of Court Roll, or for yeares, in that ground where the same standils shall grow, causing any such woods to be felled, and not leauing the said stozers there standing in forme aforesaid, to forfeit for euery standill so not left standing in the said woods &c. iij. s. iij. d. and vpon paine, that euery owner, as is aforesaid, of any such woods, &c. causing any of the said standils so left, to be cut downe, contrary to the forme of this act, to forfeit for euery of the said standils which shall be cut down. iij. s. iij. d. to the B. and J. to be reconered by A. J. B. P. &c. wherein no W. C. P. &c. 15. H. 8. 17. 13. El. 25.

There shall be xij. standils left in an acre of wood at the felling thereof

How long the standils left shall remaine unfelled.

2 All and singular copie and vnderwoods, which shall bee felled at iij. yeares growth, or vnder, and not being aboue the said age, from and after the xx. day of Aprill, next after the felling thereof, during the terme of vij. yerres, then next ensuing, shall be sufficiently inclosed, or the springs thereof otherwise saued from destruction by any maner of cattell, by him which then shall haue lawfull interest and possession in the said woods, &c. vpon paine of euerie person so bounden to inclose or preserve the said woods, to forfeit for euery Wood thereof, so inclosed, or preserved, during the said vij. yerres, iij. s. iij. d. for euery moneth that the same woods shall be inclosed, or not so preserved, &c. 35. H. 8. 17. 13. El. 25.

Woods felled at, or vnder xiiij. yeares growth, shall be preserved vij. yeares.

3 All and singular copie, or vnderwoods, which shall be felled, being aboue the age of foureteene yeares growth, and not aboue the age of xiiij. yeares growth, from the xx. day of Aprill, next after the felling thereof, during the terme of viij. yeares, next ensuing the same xx. day of Aprill, shall be sufficiently inclosed, or the springs thereof otherwise preserved from destruction of any maner of cattell, by such, which then shall haue lawfull interest and possession in the said woods, &c. vpon paine of euerie person so bound to inclose or preserve the said wood, to forfeit

Woods felled aboue 14. yerres growth & vnder 24. shall be preserved 8. yeares.

h h h iij

feil

Woods.

feit for enery rood not so inclosed or preserved, during the said vij. yerres, iij. s. iij. d. for enery moneth that the same woods shalbe inclosed, & not preserved, as is aforesaid. 35. H. 8. 17. 13. El. 25.

*For woods
shalbe conuerted
into tillage
or pasture.*

4 For person shall conuert into pasture or tillage, any such copies, or underwoods, containing in quantitie two acres, or above, which now, (viz. 14. die Ianua. Ann. Dom. 1543. & 35. H. 8.) be woods or underwoods, and put or referued to the vse or increase of wood, or underwood, and being two furlongs distant from the house of the owner thereof, or from the house whereunto the said Wood doth lye, or belong, vpon paine to forfeit for euery acre of Wood so to be conuerted from Wood into pasture, or tillage, xl. s. But this Act shall not extend to any copies woods, or underwoods, destroyed or turned into tillage or pasture within xx. yerres last past, (viz. before 14. die Ianuarij, Anno Domini 1543.) although the moze part, or any part thereof bee ouergrowne with bushes, or underwoods. 35. H. 8. 17. 13. El. 25.

*At the selling
of wood about
xxiij. yerres
growth, there
shalbe xij.
trees left in an
acre.*

5 Euery person, bodie politique and corporate, hauing any severall woods or copies growing and set with great trees, being about the age of xxiiij. yerres growth, shall at the selling or weeding thereof, leaue standing within the precinct of the said Wood and copies, for euery acre so felled, xij. trees of like of the same great trees, if there be so many trees of like there to be left, and for lacke of likes, then to leaue for euery acre so felled, as many other trees of Elm, Ash, Beech, or Aspe, as shall make the full number of xij. of such as shall bee there then growing, the same trees there so left to stand, and to be preserved by such owner during xx. yerres next after such selling of the same woods. And also shall from the xx. day of Aprill, next after the selling thereof, during the terme of ix. yerres then next following, sufficiently inclose them, or the spzings thereof, or otherwise save from destruction by any manner of cattell, vpon paine, that euery such person, being owner of the said great woods, to forfeit for euery such great trees of the said number lacking, and not left standing, vij. s. viij. d. And vpon paine, that euery owner of the ground whereupon such great trees shall be left standing, causing, or commaunding any of them to be cut downe, contrarie to the forme of this act, to forfeit for euery of them so left, which shall bee so cut downe, vij. s. viij. d. And vpon paine also to forfeit for enery rood of such great wood so not inclosed or preserved, during the said space of ix. yerres, for euery moneth iij. s. iij. d. 35. Hen. 8. 17. 13. El. 25.

*Woods felled
at xxiiij. yerres
growth, shall
be preserved
yeares.*

*In what ca-
ses one may
sell standis.*

6 But it shall bee lawfull to euery owner of any of the said copies, woods, underwoods, standis, great woods, and trees afoze rehearsed, to sell and take any of the same for building, repairing, inclosing, and maintaining of houses, orchards, and gardens, and euery of them, and for pailing, railing, or inclosing or parkes, Forests, Chases, or other grounds, and for making or repairing of water wezkes, dammes, bzidges, floudgates, making or repairing, or amending of Ships and all other vessels, and for all other things concerning his owne vse or affaires, in such like manner, as he might lawfully haue done before the making of this act. 35. H. 8. 17.

*The selling of
woods, where-
in others haue
comunon.*

7 It shall not be lawfull to any person which shall haue any woods, or underwoods, wherein any other person or persons iustly hath, or haue vsed, time out of mans remembrance, to haue common of pasture, to sell, or cut downe the said woods, or underwoods, there growing, or being, (except it be to his owne vse & occupation) vntill the fourth part of such woods, underwoods, or grounds, where the same woods grow, or as much as the fourth part of the said ground shall amount vnto, shall be by the Lord and owner of the said ground diuided, set out, bounden, and inclosed in maner and forme hereafter declared, viz. the said Lord that then shall be owner of the said ground, shall call together the Tenants and Inhabitants, be-
ing

ing Commoners in the said ground, or the moze part of them : and vpon the assembly and meeting of the said Lords, Tenants, and Inhabitants, or the moze part of them, the said Lord, or owner, by the consent and agreement of the said Tenants, and Inhabitants, or the moze part of them, shall diuide, set out, mete, and bound the fourth part of the said woods and vnderwoods, or so much thereof, as shall amount to the full fourth part thereof. An. 35. H. 8. 17.

Diuiding the fourth part of the wood.

8 And if the said Lord, and the said tenants and inhabitants, or the moze part of them, cannot, will not, or do not agree, for, or vpon the seuering, setting out, and bounding of the said fourth part of the said woods and vnderwoods, or of as much thereof, as shall amount to the full fourth part thereof, then two Just. of the Peace, not being of the kin, aliance, counsell, or far, of, or to the said Lord or owner (being thereunto appointed by the moze number of the Justices of Peace of the Shire, where the said ground lieth, in their open quarter Sessions) vpon request and suit made vnto them by the Lord, or owner, or by his lawful deputie, of the said woods, grounds &c. shall haue full power to call befoze them vpon such paines and penalties as the said Justices shall appoint, such twelue of the said Commoners and Inhabitants nigh vnto the same Woods, &c. as by the said two Just. shall be thought conuenient. And vpon or after the apparance of the same Lords, Owners, Commoners, and Inhabitants, or the moze part of them, the same Justices shall declare vnto them the cause of their assembly, and that done, shall by the aduice and assent of the said Lords, Owners, Commoners, and Inhabitants, or their lawful deputie or deputies, or of the moze part of them, effectually proceed to the seuering, diuiding, meting, and bounding of the said fourth part of the said woods and vnderwoods, or of so much thereof as shall amount to the fourth part thereof. 35. Hen. 8. 17.

where two Just. with the Lord and tenants shall diuide the wood.

9 And if the same Justices, Owners, Commoners, and Inhabitants, or the moze part of them cannot, or will not agree vpon the diuision, bounding, or setting out the said fourth part thereof, as is aforesaid : Then the said Justices shall haue full power to seuer, diuide, and set out, by mete and bound, the fourth part of the said woods and vnderwoods, or so much thereof vnder the same fourth part, as shall by the said Justices be thought necessarie and requisite to be set out. And within the moneth next after such seuerance and setting forth thereof, the Owner or Owners of the same woods or vnderwoods, in forme afoze declared, shall sufficiently inclose the same part of the said ground so set forth, as is aforesaid. And after such inclosure made, he may at his libertie sell and take the said woods and vnderwoods, being in, or vpon the said copies, woods, vnderwoods, or ground so set forth, or anie part thereof. 35. H. 8. 17.

where the Justices only shall make the diuision.

10 Where shall be left standing and unfelled, in, and vpon the said part of euery the same Woods or vnderwoods, or ground so seuered, bounded, and set out distinctly, in forme aforesaid, at euerie felling thereof, such and like number of standils or stozers of pound Whes, and other young trees of Elm, Ash, Aspe, or Beech, if it be copies, or vnderwoods, which shall be so felled, and if the woods that shall be felled, shall be great trees, or great woods, then such number shall be left standing of great trees, in, or vpon the said part, to all intents, and vpon like and the same penalties, as befoze is limited, for not leauing and preserving of standils in seuerall woods and grounds. And the said part so fenced, bounden, and set out in manner and forme aforesaid, after euerie felling of the copies, woods, or vnderwoods for the time being, in, or vpon the same, shall be sufficiently inclosed and fenced, and the inclosure thereof sufficiently and continually made, or repaired, and maintained, by the space of nine yeares next after euerie felling thereof, in like manner and forme, to all intents, and vpon the same and like penalties, as is befoze appointed for the not closing or fencing, or for the not repairing and preserving of the

How many standils shalbe left standing in common woods inclosed and felled.

How long common woods inclosed shalbe kept in fencel

Woods.

Preserving of
Standils not
cut downe.

the said severall copies &c. And also the standils, fozers, and great trees appointed to be left standing, in, or upon the said part, shall be there left standing, preserved, and not cut downe, in such like manner, and by such time, and upon such like penalties, to all intents, as is aforesaid limited for the preservation of the said fozers and great trees, appointed to be left, in, or upon the said severall copies &c. 35. Hen. 8. 17. 13. El. 25.

How long
woods inclosed
from the com-
mon shall be
defenced from
cattell.

11 After the said felling of the said copies, underwoods, and woods, growing in any such part of the said woods, grounds, or places before declared, no beasts or cattell during the space of ix. yeares next after the felling of the same woods, shall willingly by any person be put in, or shall be suffered to feed or continue in any parcell of any such part so set forth, as is aforesaid, during the said terme of ix. yeares, next after the felling thereof, upon paine of forfeiture of iiii. s. for the putting in of any beasts, or wilfull suffering of any beast or cattell to be put into any of the said severall copies, underwoods, or woods &c. 35. H. 8. 17. 13. El. 25.

Cutting of
wood in wast
ground.

12 If it shall happen any person being owner of any such woods, underwoods, or copies, lying and being in any wast ground, to cut downe any trees, or underwoods, contrarie to the forme aforesaid, then every person so offending, shall forfeit for every tree so cut downe five shillings eight pence: all which forfeitures shall be to the K. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 35. H. 8. 17.

The forfei-
tures.

The Lord of
a wood exclu-
ded of his
common.

13 For as much as the said tenants, commoners, and inhabitants shall be excluded of their common in the said part so to be severed, as is aforesaid, by all the said terme of ix. yeares next after the felling of the said copies, woods, and underwoods, that shall grow upon the same: in recompence thereof they shall and may use and have their common for their cattell, within the residue of the said woods, underwoods, ground, and soile, not being inclosed, in manner and forme, as if this Act had never beene made. And the Lord being owner of the said ground, shall be excluded to put, or have any cattell or beasts in or upon the same residue, or to take any profit of the pasture in the said residue, during and by the terme of vij. yeares next after the felling of the said copies, woods, or underwoods, growing upon the said part which shall be so severed and inclosed, as is aforesaid. And after the said ix. yeares expired, untill the next felling of the said copies, woods, or underwoods, being upon the said part, being divided as is aforesaid, as well the same part as the said residue of the said ground shall lie and be used in common, and the pasture and other profits thereof, shall and may be used and taken as well by the Lord, being owner of the said ground, as by the said tenants, commoners, and inhabitants, in like maner as it should or ought to have bin before the making of this Act. 35. H. 8. 17. Quere whether the Lord shall be excluded of his common for vij. yeares, or ix. yeares: for the Stat. of 13. Eliz. 25. giueth the Lord two yeares more then the Statute of 35. H. 8. to inclose or keep in severall, his woods, but it doth not exclude the Lord of his common for any further time, then in the said Statute of 35. H. 8. is limited, which is but seven yeares.

Woods used
to be inclosed.

14 It shall be lawfull to any person to sell and to inclose all their copies, woods, and underwoods in any wast grounds, which before the making of this Act have beene used to be inclosed and kept for the maintenance of wood and underwood. 35. H. 8. 17.

The Common-
ners shall in-
joy their com-
mon, so long
as the wood
is unfelled.

15 If the same part of wood and underwood, so inclosed by the Lord or owner of the same, as shall be to him limited by the said Justices of peace, or commoners, be not felled within foure moneths next after the inclosing thereof, then and so long as the same woods shall not be felled, it shall be lawfull to the said commoners, to put their cattell into the same wood and ground so inclosed, and the owner thereof shall leaue open convenient places within the same inclosure, whereby the commoners
beasts

beasts may come into the same wood, and there to feed so long as the same wood shall be unfelled. 35. H. 8. 17.

16 This Act shall not extend to any of the Lords or owners of the woods, underwoods, or woodlands, growing or being within any of the towns, parishes, or places, commonly called or known to be within any of the Wields of Kent, Surrey, and Sussex, other then only to the common woods, growing and being within any of the said Wields of the said Counties. 35. H. 8. 17.

17 This Act shall not extend to charge any person with any penalty contained therein, concerning any timber trees growing within two miles of the Sea in the Countie of Cornwall, or any other timber trees within this Realm, being sere and dead in the tops, or any other timber trees to be taken by vertue of the R. Commis-
woods in the
wields of
Kent, Sur-
rey, Sussex,
To what
woods this sta-
ture extendeth
not,
within what
time the offend-
er must be
sued.

18 If any person doe breake or destroy any severall fences, or hedges, made for the saving of the same woods, underwoods, grounds, or soiles, he shall forfeit for everie such offence 1. s. 35. H. 8. 17.

19 If anie person suffer his Swine being of the age of 1. weekes or above, (dur-
Swine shall
not go in the
wood unring-
ged.

20 Where any woods, or underwoods shall be felled in any parke, or ground inclosed, wherin any Dore shall be then kept, the owner or possessor of such parke or grounds shall be chargeable for the inclosure, and preservation of the same, as is aforesaid, but only for the space of five yeares after any such time of felling of the same woods &c. and not above. 35. H. 8. 17.

21 If the inclosure of any of the said copies, woods, underwoods, or grounds, happen to be broken or pulled downe, by any person against the will of the owner or possessor of the same woods &c. wherby cattell escape into the same woods &c. and destroy or hurt the spring thereof, or if the same woods, grounds, or underwoods be by any meanes destroyed, hurted, or hindred, by any person, or by the cattell of any person, without the assent and will of such owner or possessor: in every such case the said penalties contained in this Act, shall be extended upon the same person by whose default the same spring, wood, or underwood shall be so destroyed or hurted, and not upon the owner or possessor of the said woods, grounds or underwoods. 35. H. 8. 17. 13. El. 25.

22 It shall not be lawfull for any person to put any manner of cattell into anie copies woods inclosed to be preserved, from the time of the sale thereof, untill the end of five yeares, nor from the end of five yeares, any other cattell but Calves, and yearling Colts only, untill the end of five yeares, if the wood was under the age of fourteene yerres at the last fall, or untill the age of eight yerres, if the wood was above the age of fourteene yeares, at the time of the last fall. 13. El. 25.

23 Every man that hath wood within the Forrest, may take housebote and haybote in the said wood, without being attached by any officer of the forest, so that he doe it by the view of the Forresters. 1. Edw. 3. 2. And every freeman may take agistment in his owne Wood within the Kings Forrest at his pleasure, and shall rest.
How a man
may use his
wood which is
within the for-
rest.

Woods. Wools.

Agistment.

have his paxnage, and may drive his Swine through the Kings demeane woods, for to agist them in his owne woods or elsewhere, and if the Swine tarie one night in the Forrest, hee shall not loose one of them thereby. Charta de Forresta. 9. Hen. 3. 9.

**Purprestures
waits, asserts
made in the
forrests.
How each
man may use
his wood with
in a forrest.**

42 Those that doe make Purprestures in their woods which they have in Forrests, without the Kings speciall licence, or wait, or assert in the same, shall answer to the King for the same waits, purprestures, and asserts. But euerie freeman shall without danger make in his owne wood, in his own ground, or in his water, which he hath within the Kings forrest, a mill, a poole, a pond, a marle pit, a ditch, or arable land, without inclosing that arable ground, out of the covert of the forrest of ground which hath bene arable, so that it be not to the hurt of any of his neighbours: and also he may haue within his woods Pyries of Hawkes, Sparhawkes, Falcons, Eagles, and Herons, and the honey that is found within his woods. Charta de Forresta. An. 9. H. 3. 4. 12. 13.

**How long
woods felled
in the forrests
may be inclo-
sed.**

25 If anie of the Kings subiects having woods of his owne, growing in his owne ground within any forrest, chase, or perliw of the same within this Realme of England, shall cut or cause to be cut the same wood, or part thereof, by licence of the King, or of his heires, in his forrests, chases, or perliws, or without licence in the forrest, chase, or perliws of anie other person, or make anie sale of the same wood: It shall be lawfull to the same subiect, owner of the same ground whereupon the wood so cut did grow, and to other such persons to whom such wood shall be sold, immediately after the wood so cut, to cople, and inclose the same ground with sufficient hedges, able to keepe all maner beasts and cattell out of the same ground, for the preserving of their yong spring, and the said hedges being so made, the said subiects may keepe them continually by the space of seven yeres next after the same inclosing, and repaire and sustaine the same as often as shall need within the same seven yeares, without suing any other licence of the King or of his heires, or other persons, or any of their officers, of the same forrests, chases, and perliws. 22. Edw. 4. 7.

1 The forf. for burning of any heape of wood felled. S. Burning 1.

2 At what time Oke trees meete to be barked, shall be felled. S. Leather 15.

3 No Purueyours of timber shall fell any trees growing about anie mans house. S. Purueyours 8.

4 No Purueyor of timber shall fell any timber to the Kings vse, but onely in barking time, or shall take away anie more then onely the timber tree. See Leather 16.

5 None shall buy wood but they which will burne or retaille the same. See Fuell 1.

6 Where woods shall be felled in or neere high wayes. S. Highwaies 18.

7 What woods may be felled, and in what places for the making of yron, & what not. S. Iron.

8 How euerie Licence for transporting of wood shall be used. See Corne 3. 4.

Wools.

**who only may
buy wools.**

NO person being bozne within the Kings obeifance, shall buy, bargaine, take, or make any promise or bargaine of wools, but onely such person, his wife, or his apprentice, inhabiting in his mansion house, as shall of the said wools make varne, any kind of clothes, Chamlets, Wolstedes, Saies, Stamine, Knit hose, knit peticotes, knit gloues, knit sleeves, hats, coffes, rappes, Arras, Tapestrye coverlets, girdles, or any other thing used to be made of wooll, or mixed with wooll within

Within the Realme, or else a Merchant of the Staple, or his apprentice, dwelling in his mansion house, to be shipped onely to the Staple, upon paine of forfeiture of the double value of the said wools, so to be bought or bargained, or taken by promise of bargaine contrarie to this Act, to the B. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. s. E. 6. 7. Neither shall any denizen buy any wools, but of the owner of the shepe and tithe wooll, but in the Staple. 14. R. 2. 4.

The words of the Stat. be to be shipped onely to the Staple of Calice. Ideo Quere.

2 But Merchants of Newcastle, and other persons may buy Wools of the growth of the Countie of Northumberland, Cumberland, Westmerland, Richmond, and Alderton shire, or the Bishopricke of Duresme, to the intent to ship or transport the same into the parts beyond the Sea, as they haue bin accustomed, any thing in this act &c. notwithstanding. s. E. 6. 7.

Wools growing in Northumberland.

3 And also the Merchants of the Staple from time to time may bargain or sell their refuse courte wools, and lockes, such as is not meet for the said Staple to anie person that will buy the same to make yarne or cloth, or other things as is aforesaid, within this Realme, so as the same be shot and packed by the wooll packer, declaring of what packing or countrie the refuse or lockes be, and writing upon the clothes wherein the said refuse wooll is packed, in great letters, as they do upon the wools that are shipped to the Staple. s. E. 6. 7.

Staplers may sell their refuse wools and lockes.

4 Euerie person dwelling within the Countie of Norfolk, or Citie of Norwich, by himselfe, or by his factor or servant, may lawfully buy and bargain wools, and take and make provision to buy or bargain wools growing onely within the said Countie of Norfolk, so that the same person so buying or bargaining, or making promise to buy or bargain the said wools, doe sell or retails the same againe in the common market, or other open place within the said Countie of Norfolk, or Citie of Norwich, to any person or persons that will buy the same, or any parcell thereof, dwelling within the said Countie of Norfolk, and Citie of Norwich, or any of them that will spin the same within the same Countie or Citie. 1. Edw. 6. 6. s. E. 6. 7.

How Norfolk wools may be bought or sold againe.

5 It shall be lawfull to anie person inhabiting within the parish of Halifar, to buy any wooll, at such time as the Clothiers may buy the same (otherwise then by ingrossing and forcelling) so that the persons so buying the same, doe carie or cause to be caried the said wools so bought by them to the towne of Halifar, and there to sell the same to such poore folke of that and other parishes adioyning, as shall worke the same in cloth of yarne (to their knowledge) and not to the rich clothier, nor to any other to sell againe. And if either the said wooll owner shall sell his said wools at any other place forth of the said towne of Halifar, or if anie such that shall buy their wools at Halifar, shall sell their wools that they bought againe unwrought in yarne or cloth, then euerie such offender shall forfeit the double value of the wooll so sold or uttered, to the B. and J. that will sue for the same in any of the Courts of record, or before the Just. of the peace in their Sessions. 2. & 3. P. & M. 13. S. Inst. of P. 98.

The inhabitants of Halifar may buy wooll and sell the same there againe.

6 No Merchant stranger, by himselfe, or by any other person for him, in his name, or to his use, shall bargain or buy any wools before the feast of the purification of our Lady next after the clipping or shearing of the same wools, upon paine of forfeiture of the double value of the same wools, to the B. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. s. E. 6. 7.

At what time a merchant alien may buy wooll.

7 No person hauing any wooll of his owne growth, shall keepe the same wools to the intent to sell the same in wools unwrought, aboue one whole yeare next and immediately after the shearing of the same wools, so as there be offered without fraud or couin to the owner or owners thereof within the same time, such price as then shall be most commonly given in the same shire for wooll of like goodnesse and packing, upon paine of forfe. for euerie tod, or tod weight thereof so kept aboue one yeare

No man shall keepe his wooll aboue a yeare.

Wools.

Women.

peare vnfold, as is aforesaid, &c. to the King and Justice to be recovered by A. Justice. wherein no W. &c. C. P. &c. 5. Ed. 6. 7.

Winding of
wooll.

8 No person shall wind, or cause to be wound any fleece of wooll, being not sufficiently riuered or washed, ne wind or cause to be wound within any fleece, clay, lead, stones, sand, taitles, deceitfull lockes, cot, calles, comber, lambes wooll, or any other thing, whereby the fleece may be the moze waightie, to the deceit and losse of the buyer, vpon paine the seller of any such deceitfull woolls, to forfeit for euerie such fleece vij. s. to the King and the finder and prouer of the same deceit, to be recovered by A. Justice. wherein no W. &c. C. P. &c. 8. Hen. 6. 22. 23. H. 8. 17. 13. Eliz. 25.

Woolpacker.

Force, clacke,
beard wooll.

And if any woolpacker do make any other but good and due packing, he that seeth himselfe grieved thereby, shall haue his action of trespassse and deceit, at the Common Law, against him. And if any stranger doe force, clacke, or beard anie wooll, he shall forfeit the same or the value thereof, and bee imprisoned. 8. Henrici 6. 22.

Counties
where wooll is
not washed, or
fleeces sold by
tale.

9 But this Act concerning riuering and washing of any wooll, shall not extend to any shire or shires, the inhabitants whereof haue not customably bled before this time, to riuer or wash their sheepe before they be shorne, nor shall be hurtfull to anie persons that haue bled customably to sell their woolls by tale, or number of the fleeces, and not by weight. 23. H. 8. 17. 13. El. 25.

What wooll
may be refused

Good packing,
Cocketing of
woolls.

10 No Denizen nor Forrein shall make any refuse of woolls, but of cot, gare, and beilein. Neyther shall anie buy woolls, by these wordes (good packing) nor other like wordes, vpon paine to forfeit to the partie grieved double damages, and the Broker shall be halfe a yeare imprisoned. And whosoener doth cocket wooll, but in the name of him whose the woolls be, shall forfeit them. 13. Rich. 2. 9. 31. Edw. 3. 8.

The Staple.

12 The Chauncelloz, Treasorer, and other of the Kings Councell, may deferre the passage of woolls when they see that need is. 31. Ed. 3. 9.

In the time of Edward the third, and sithence, diuers Statutes were made for the placing, maintenance, and removing of the Staple, and for lawes and ordinances to be obserued therein, and certaine magistrates and officers were ordained for the execution thereof, and seuerall statutes were made, prohibiting Woolls to be caried to any other place, sauing to Calice, or the places where the said Staple was established, but some of those Statutes be repealed, or any expired, and the vse of the residue in effect taken away by the want of Calice, except those which be expressed in this and other titles of this treatise. But whether the Staple is removed, by what warrant and authoritie, and in what sort, and how farre the Statutes provided for the maintenance of the Staple of Calice do extend, or may be executed for the maintenance of the same in any other place, Quære.

1 For the contents of a stone, and sack of wooll. S. Weights 3.

2 For the custome of woolls. S. Custome 10. 18.

3 For the boyling of wooll, and with what stuffe it shall be boyled. S. Draperie 60.

4 No imposition shall be set vpon woolls &c. without assent of Parliament. S. 45. Ed. 3. 4.

Women.

Alienations
&c. by the wife
of the inheri-
tance of her
late husband.

If any woman hauing estate in doter, or for terme of life, or in taile, jointly with her husband, or onely to her selfe, or to her vse, in any manors, lands, tenements, or other hereditaments, of the inheritance or purchase of her husband, or giuen to the said husband and wife in taile, or for terme of life, by any of the ancestors of the said husband, or by any other person seized to the vse of the said husband,

band, or of his auncelloes, and shall, being sole, or with any other after taken husband, discontinue, alien, release, or confirme with warrantie, or by couin suffer any recoveries of the same against them, or any of them, or any other seised to their use, or to the use of either them, after the forme aforesaid: All such recoveries, discontinuances, alienations, releases, confirmations, and warranties, to had and made, shall be utterly void. And it shall be lawfull to euerie person and persons to whom the interest, title, or inheritance after the decease of the said woman of the said lands &c. being discontinued, aliened, or suffered to be recovered in forme aforesaid, should appertaine, to enter into all and euerie of the premises, and peaceably to possesse and enioy the same, in such manner and forme, as he or they should haue done if no such discontinuance, warrantie, nor recovery had bin had or made. 11. H. 7. 20. S. Stat. Gloucest. 6. Ed. 1. 7. If a woman do sell or giue in fee, or for terme of life, a tenement which she holdeth in dower, the heire or other to whom the land ought to reuert after the decease of the wife, shall immediatly haue his recovery by writ of Entry out of the Chaucerie.

A writ of Entry in case prouiso.

2 If any of the said husbands and women, or any other seised to the use of them, of the estate before specified, do make or cause to be made, or suffer any such discontinuance, alienations, warranties, or recoveries in forme aforesaid: When it shall be lawfull to the person or persons, to whom the said lands, tenements, &c. should or ought to belong, after the decease of the said woman, to enter into the same, & them to possesse and enioy, according to such title and interest, as they should haue had, if the same woman had bin dead, no discontinuance, warrantie, nor recovery had as against the said husband during his life, if the said discontinuance, alienation, warranties, and recoveries be had by or against the same husbands and women during the espousall betwixt them. But the said women after the decease of their said husbands, may reenter into the same lands &c. and them to enioy, according to the first estate in the same. 11. H. 7. 20.

Upon the recovery or alienation of the woman, he in the reuerfion may enter.

A woman covert bound but during her husbands life.

3 If the said women at the time of such discontinuance, alienations, recoveries, warranties, in forme aforesaid, had and made of any the premises, be sole, then she shall be excluded of her title, and interest in the same from thenceforth, and the person and persons to whom the title, interest, and possession of the same should belong after the decease of the said woman, shall immediatly after the said discontinuances, alienations, recoveries, and warranties, enter into the same lands &c. and them to possesse and enioy according to his or their title in the same. 11. H. 7. 20.

A woman sole aliening or suffering recovery.

4 This act shall not extend to any such recovery or discontinuance to be had with the heirs next inheritable to the said woman, or where he or they that next after the death of the same woman should haue estate of inheritance in the same lands, &c. be assenting and agreeable to the said recoveries, where the same assent and agreement is of record and inrolled. And it shall be lawfull to euerie such woman being sole, or married, after the death of her first husband to giue, sell, or make discontinuance of any such lands, for terme of her life onely, after the course of the common law. 11. H. 7. 20.

A woman both discontinued or suffer recovery with the heirs consent.

A woman may giue land for terme of her owne life.

5 No fine, feoffment, or other Act hereafter to be made, suffered, or done by the husband onely, of any lands, tenements, or hereditaments, being the inheritance or freehold of his wife, during the coverture betwixt them, shall in any wise be, or make any discontinuance thereof, or be prejudiciall or hurtfull to the said wife or to her heires, or to such as shall haue title, interest, or right to the same by the death of such wife or wives. But the same wife or her heires, and such other to whom such right shall appertaine after her decease, shall & may then lawfully enter into such lands &c. according to their rights and titles therein, notwithstanding such fine, feoffment, or other act (fines leuied by the husband and wife, whereunto the

The husbands only all of the wives lands shall not prejudice her or her heires after his death.

All

said

Women.

Leases made
by the husband
& wife, of the
inheritance of
the wife.

Recoveries
of deeds in-
rolled in cor-
porat townes.

Lands reco-
uered against
the husband
by default.
Conveying
away a Maid
under xvj.
yeares of age.

The forl for
taking away
a maid under
xvj. yerres of
age.

Taking away
& deflowing
or contracting
matrimonie
with a woman
under xvj.
yerres of age.

said wife is partie and partie onely except.) But this Act doth not give any liber-
tie to any such wife, or to her heires, to avoid any lease made of any inheritance of
the wife, by her husband & her for terme of one and twentie yeares, or under, or
any her inheritance for terme of thre liues at the uttermost, whereupon as much
yearely rent or more is reserved, and yearely payable during the same lease, as
was at any time therfore payed within twentie yeares next befoze the making of
any such lease, according to the tenor of this Act. 32. Hen. 8. 28. Neither doth this
Act give libertie to the wife, or her heires, to avoid any recoveries, deeds inrolled,
or releases, being in the nature of Fines (whereupon women covert are bled to be
examined) knowledged, and taken befoze the Mayors, Aldermen, Recorders,
Chamberlaines, or other head Officers of the Citie of London, or other Cities,
Boroughes, or Townes corporate, having power to receive and take the same, ac-
cording to the Customes of the said Cities, Boroughs &c. But the same recove-
ries, deeds inrolled, and releases, shall remaine of like strength to all intents, as
they were befoze the making of the foresaid statute of 32. H. 8. 34. H. 8. 22. Statute
2. 13. E. 1. 3. that if the husband doe loose by default any tenement which he hath
in his wifes right, the wife after the death of her husband may recover the same by
a Cui in vita.

6 It shall not be lawfull to any person or persons, to take, or convey, or cause
to be taken or conveyed away, any Maid, or woman child unmarried, being with-
in the age of fyeteene yeares, out of, or from the possession, custodie, or governance,
and against the will of the Father of such Maid, or woman child, or of such person
or persons to whom the Father of such Maid, or woman child by his last Will, or
by any other Act in his life time, shall assigne, bequeath, give, or graunt the or-
der, keeping, education, or governance of such Maid, or woman child, except
such taking and conveying away, as shall be had, made, or done, by, or for such per-
son or persons, as without fraud or couin then shalbe the master or mistresse, or the
Guardian in Socage, or Guardian in chivalrie, of, or to such Maid, or woman child.
4. & 5. P. & M. 8.

7 If any person or persons above the age of xiiij. yeares, shall unlawfully take
or convey, or cause to be taken or conveyed, any Maid or woman child unmarried,
being within the age of xvj. yerres, out of, or from the possession, and against the will
of the father or mother of such child, or out of, or from the possession of such person
or persons as then shall have by any lawfull waies or meanes, the order, keeping, e-
ducation or governance of any such maid or woman child: Then every such person
and persons so offending, being thereof lawfully attainted or convicted by the due
course of the law of this Realme (other then such of whom such person taken away
shall hold any lands or tenements by knights service) shalbe two yerres imprisoned,
of his or their bodies, without baile or mainprize, or else shall pay such fine for his or
their said offence to the D. and B. griened, as shalbe assessed by the D. Councell in
the Starre chamber at Westminster. 4 & 5. P. & M. 8.

8 If any such person or persons shall take away, or cause to be taken away,
as is aforesaid, and deflowe any such Maid or woman child, as is aforesaid: Or
shall against the will, or unknowing of, or to the Father of such Maid or woman
child if the Father be in life, or of, or to the mother of such Maide or woman child
(having the custodie and governance of such child, if the Father be dead) by secret
letters, messages, or otherwise, contract Patrimonie with any such Maide or
woman child (except such contracts of Patrimonie shall be made by the consent
of such person or persons as by the title of wardship shall then have or be intit-
led to have the marriage of such Maid or woman child) then every such person or
persons so offending being thereof lawfully convicted as is aforesaid, shall suffer
imprisonment of his or their bodies by the space of five yeares, without baile or
mainprize.

mainprize, or else shall pay such fine for his or their said offence to the Du. and party grieved, as shall be assessed by the D. Councell in the said Star. chamber. 4. & 5. P. & M. 8.

9 The Du. Councell of the Star-chamber by bill of complaint or information, and Justices of assize by inquisition or indictment, have authoritie to heare and determine the said offences: Upon every which Indictment and Inquisitions such proces shall be awarded, as upon an Indictment of trespass at the common law. 4. & 5. P. & M. 8.

Who may heare and determine the offences a-foresaid.

10 If any woman Child, or Maiden, being above the age of xij. yeres, and under xvj. do at any time consent to such person that shall so make any contract or Patrimoine, contrarie to the forme and effect of this Statute: When the next of her kin, to whom the inheritance should returne, or come after her decease, shall from the time of such assent, have and enjoy all such lands, tenements, and hereditaments, as she had in possession, reuerſion, or remainder, at the time of such assent, during the life of such person that shall so contract Patrimoine. And after the decease of such person so contracting matrimoine, then the said lands, tenements, &c. shall descend, reuert, remaine, & come to such person or persons, as they should have done in case this act had neuer bin made, other than to him only that so shall contract matrimoine. 4. & 5. P. & M. 8.

A woman betwixt xij. and xvj. consenting to an unlawful contract of matrimoine.

11 But this act shall not extend to take away, or diminish any libertie, custome, or authoritie, concerning any Orphans, within the Citie of London, or any other city, borough, or towne where Orphans are commonly used to be provided for, either by grant, or by custome: But the Lord Mayor of the said citie of London, and the Aldermen of the same, and every other head officer of any other citie, &c. where such Orphans bee provided for, shall, and may haue, and take like role, order, keeping, and charge of such Orphans, and of all their lands, tenements, goods, and cattels, as heretofore they used, or lawfully might haue had and used, if this act had not bin made. 4. & 5. P. & M. 8.

Orphans.

12 If any person or persons shall take any Maid, widow, or wife, which hath any lands, or goods, or is heire apparant to her ancestoz, against her wil unlawfully: such taking, procuring, and abetting to the same, and also receiuing wittingly the same woman so taken against her will, and knowing the same, shall be felonie, and such misdoers, takers, and procuratozs of the same, and receiuozs, knowing the said offence in forme aforesaid, shall bee reputed and iudged as principall felons: But this act doth not extend to any person taking any woman, only claiming her as his Ward or Bondwoman. 3. H. 7. 2.

Taking a woman against her will.

13 All and euery such person and persons as shall be convicted or attainted, of or for any offence to be committed after the end of this session of Parliament made felonie by the said act of An 3. H. 7. or which shall be indicted and arraigned of or for any such offence, & stand mute or make no direct answer, or challenge peremptorily above the number of xx. shall in every such case, loose his and their benefit of Clergie, and shall suffer pains of death without any benefit of Clergie, any former law to the contrary notwithstanding. Provided alwaies, that this act, or any thing therein contained, shall not extend to take away the benefit of Clergie, but only from such person and persons as hereafter shall be principals, or procurozs, or accessaries before such offence committed. 29. El. 3.

The offender shall lose his Clergie.

14 If any person and persons will take by force, or dissimulation, or by any other meanes will get into his or their possession, any woman being sole, having any lands, tenements, or moueable goods within this Realme, and conuey her into any place where he or they be of power, and will not suffer her to goe at libertie untill she will be bound unto him or them, or to some other, to his or their use, in a summe of money in an obligation, or obligations simple, or conditionall, or by

Women.

A woman enforced to be bound by obligation of Stat.

obligation of the Statute Merchant, before a Maier or Bailife, having power to take such Recognisances, or will cause the said summe to be levied of her lands or goods, or will cause her to be married against her will: Then the partie which is bound may have a writ out of the Chaucerie containing all the matter of her unreasonable intreatie, directed to the Sherif of the County where any of the said offences shall be committed, commanding him that he shall by force of that writ, make Proclamation in the full and next Countie after the receipt of the said writ, that the person or persons contained in the said writ, shall appeare at a certain day and place prefixed in the said writ, before the Chancelloz of England, or before the Justices of Assise in the Countie where the said offence was committed, or otherwise before some writhe person appointed by the Chancelloz, at which day and place if the partie &c. do appeare, the Chancelloz, Justice, or other person assigned, shall examine him duely upon the premises: By which examination if they may find the said obligation or obligations to be made in such form as is aforesaid, then the said obligation or obligations, and all pces and execution thereupon pursued, shall be void. And if it be found by examination before them, that any of the said obligations were made for very duetie, and by no such meane as is aforesaid: Then the said Obligation, &c. and all the pces and execution pursued thereupon, shall be good and effectual. And if the person or persons in such writs named, against whom any such letters or writs shall be sued, do make default at the day and place limited in the said writs: Then all such Obligations as be above specified, and in the said writs expessed, and all maner of pces, and executions, sued or pursued thereupon, shall be void. 31. H. 6. 9.

What the Sherif shall for if he do not execute his writ.

15 The Sherife to whom such Writs upon this Statute commenced, shall be directed, shall execute the said Writs according to the tenor thereof, upon paine of three hundred pounds, whereof the King shall have the one moitie, and the partie which sueth the Proclamation, the other: for the which moitie, the said party grievous shall have an Action of Debt against the said Sherife, with pces of Outlawrie, wherein no Wager of Law, Protection &c. nor forrein ples to be tried in any other place, but where the Writ commenced upon the Statute is sued. 31. H. 6. 9.

A womans suit shall not be deferred by the minority of the heire.

16 If any man doth alien the right of his wife, the womans suit, or her heires shall not be deferred after the death of her husband by the minority of the heire which ought to warrant it, but the buyer (which ought not to be ignorant that he hath bought anothers right) shall tarrie to have his warrantie, untill the full age of the heire. West. 2. 13. E. 1. 40.

1 What punishment doth insue the rape of a woman, or consenting to rape. S. Rape 1. 2. 3.

2 Where a woman shall have her Quarentine, where her Jointure, where her Dower, and what causes there may bee of conclusion, or forfeiture. See Dower.

3 Where a woman may have appeale of death, or murder. S. Appeals 4.

4 In what cases a woman about the age of xij. yerres is compellable to serue. S. Labourers 14.

5 What leases made of a womans lands during her coverture shall bind her, & what not. S. Leases 1. 2. 3.

6 How Widowes, or other women which hold of the K. in chiefe shall be vsed. S. Prærogative 4. 5.

7 In what cases a woman covert shall be receiued to defend her right of lands demaunded. S. Receipt 1.

- 8 A Will made by a Woman couert of Lands, is not effectuell in Law. S. Wils 17.
 9 A Will made by a widow of her crop, is good. S. Wils 20.
 10 How far any woman shalbe bound by the stat. provided, to restraine Recusants to certaine places of abroad. S. Recusants 39.

Worstedes.

ANno 7. Ed. 4. 1. It was enacted, That men of the craft of Worsted weavers within the Citie of Norwich, shall haue power euerie yeare, the Monday next after the feast of Pentecost, to choose foure Wardens within the said Citie of the same craft. And also that Artificers of the same craft likewise out of the citie, viz. within the Countie of Norfolk, shall haue power euerie yeare at the same day to choise foure Wardens within and of the same Countie of the same Craft. And the foresaid Wardens within the Countie and Citie, shall come before the Maior of the said Citie for the time being, upon Monday next after the Feast of Corpus Christi then next following: And then shall bee swozne before the Maior of the said Citie (and the Steward of the Duchie of Lancaster for the time being if he shall be then in the said Citie.) And that all the said Wardens, aswell within the said Citie, as without, or else the greatest part of them, vnder the forme aforesaid chosen and swozne, shall haue full power for the yeare then next following, to suruey the workmanship of the said Artificers, and that they make and worke rightfully and well, and of good stufte: And to ordaine such rules and ordinances within the said craft, as often as it shall seeme needfull and necessarie for the amendment of the said Worstedes and craft: And that such rules and ordinances so made and ordained by them shall be obeyed and kept by the said Artificers: Or else foure of the said Wardens, calling to them sixe of the most discreet of the said Artificers within the said Citie, And sixe of the said Artificers within the said Countie, by the discretion of the said Maior and Steward, or one of them, shall punish such of the said Artificers, which breaketh or doth contrarie to any of the said rules and ordinances. And moreover in eschewing of all such deceit and falsehood which may happe to bee done and wrought in the said Craft by the said eight Wardens, by themselves sely, or in concealing of the workmanship of others of the Artificers in the said Citie and Countie, It was further ordained that the Maior of the said Citie for the time being, and the said Steward, or one of them, at such time as he shall thinke convenient, shall call before him the said twelue Artificers, or the greatest part of them, and charge them to be swozne to make rightfull search, as well in the stufte, as in all the working of the said eight Wardens to bee wrought and made: And the said Wardens so found defective, in execution of their office in search of all other of the same Artificers within the said Citie and Countie, or in their owne stufte and workmanship, shall bee corrected by the same Maior and Steward, in such sort as other offenders of the same Craft ought to bee. And the said Wardens and euery of them in euerie part of the said Citie of Norwich, and elsewhere in the Counties of Norfolk, Suffolke, and Cambridge, at all times conuenient, shall haue power to search all manner of Worstedes, and the stufte of them, as well within the Houses as out of the Houses, wrought within the Citie of Norwich, or Countie of Norfolk. And if any man before the said Maior or Steward, or either of them, be thereof found defective, he shall be corrected by their discretion. And the Worsted and stufte found in maner and forme aforesaid defective, shalbe forfeit: the one

Wardens of
worsted weavers.

Worsted.

halfe of such forfeit as shall be found within the Citie of Norwich, shall be to the Mayor of the same Citie, And found in any other place, to the Mayors, Baylives of the Cities, Boroughes, and Townes, or to the chiefe Lords of the fee, of, and in such place as such Worstedes or Stoffe for any of the causes aforesaid shall be found defective or forfeitable by the said Wardens, or any of them: And the other halfe shall be to the Wardens of the said craft for the time being. And by the said Statute it was further ordained, that the said eight Wardens, the said Monday next after Corpus Christi day, presently after their charge shall assigne a certaine place or two within the said Citie, and certaine daies by the weeke, and another certaine place, or two, or more if they thinke it necessarie, in the said Countie of Norfolk, and certaine dayes by the weeke for the yeare next following: To the intent, that everie piece of Worsted, which in the same yeare shall be put to sale, shall bee brought befoze the Wardens of the said Craft, to one of the said places so assigned, to the intent, that as well the Artificers of Worstedes, as the said Wardens, may certainly know the place where the Worstedes may be duely searched. And if the said Wardens find the said Worstedes by their search well and lawfully made, then such a marke or token shall bee set by the said Wardens, or one of them (without fine or fee) upon the same, so that all buyers may well know which piece is sufficiently and rightfully searched and wrought: And the said search shall as well extend to the stuffe, as to the sufficient making. And such as they shall find defective, the Mayor of the said Citie, and Steward of the Duchie, or one of them, by the assent of the said Wardens, and twelve Artificers, shall have power to set therein such correction, as to them shall seeme reasonable. And all Mayors, Sherifes, Bailives, and other Officers shall be aiding, attending, and supporting the said Wardens in their search, as often as they, or any of them shall bee by the said Wardens, or any of them reasonably required. And Ann. 14. Hen. 8. 3. and 26. Hen. 8. 16. it was enacted, That the Craftsmen called Worsted Weavers inhabited within the Towne of great **Par-**mouth, in the Countie of Norfolk, shall have authoritie to elect and chuse yearely for ever, in the Monday next after the Feast of Pentecost, one honest man of the same occupation, being an householder within the same Towne of great **Par-**mouth, and having of his proper goods and chattels to the value of ten pounds, at the least, or lands and tenements to his owne use of estate of freehold to the cleere yerely value of twentie shillings at the least, to be Warden of the same Craft and Mysterie for the yeare next following: Which man so chosen, shall personally appeare befoze the Mayor of the Citie of Norwich, the Monday next after the feast of Corpus Christi then next ensuing, then and there to bee charged by like oath, concerning the true and substantiall making of the said Clothes within the said Towne of great **Par-**mouth, as the foure Wardens of the said Citie of Norwich by vertue of the foresaid Act of 7. Edw. 4. beene charged and swozne within the same Citie. And if the said Mayor bee absent the said Monday, or refuseth to take the said Oath, then the said Warden so elect, shall within foure dayes after the same Monday, come befoze the Bailives of the said Towne of great **Par-**mouth, or one of them, (the other being absent) and receiue a corporall oath, for the true exercising of the same Office of Wardenship, after the tenor of the Oath used to be giuen to the said Wardens of the Citie of Norwich. And the said Warden so elect and swozne, may appoint a Seale, with this letter **Y** to bee grauen in the same Seale, and may have authoritie to view, search, seize, and seale in lead with the same Seale, and none other, all Worstedes, Sayes, and Staminns, within the said Towne of great **Par-**mouth, and the Suburbes of the same to the made,

Par-mouth.

Y

made, and not elsewhere, in as large manner, as the said Wardens of *Portwich* and *Portfolke* &c. by the said Act made 7. Edward. 4. may doe &c. And by the said Statute of 14. Hen. 8. it was further enacted, That when the Towne of *Linne* in the Countie of *Portfolke* shall be inhabited with ten handie householders or moze householders exercising and using the said craft of *Worsted* weavers: Then and so long it shall be lawfull to the same Inhabitants of *Linne*, yearly on the Sunday next after the Feast of *Pentecost*, to choose of themselves one Warden of the same craft, which shall be of balne in Lands or goods, and shall be sworn, and shall appoint a Deale with the letter L. and shall view, search, seise, and seale within the Towne of *Linne*, and Suburbes of the same, vt supra of *Parmouth*. Provided alwayes, that this Act shall not be prejudiciall to the Mayor of *Portwich*, or to his successors, or to the Wardens of the said Citie or Countie, or to their successors, in any point, article, or authoritie, other then for weaving, searching, and sealing of *Worstedes*, *Sayes*, and *Stammins* made onely within the said Townes of *Linne* and *Parmouth*, or the Suburbes of the same, or to any of them: And for limiting of markes to the makers of *Worstedes*, *Sayes*, and *Stammins* onely inhabited within eyther of the said Townes, or the Suburbes thereof, and taking of Apprentices. But the said Mayor of the said Citie, and Wardens of the said Citie and Countie, and everie of them may have and use all other articles, points, and authorities specified in the foresaid Act of 7. Edward. 4. as well for the search, sealing, correcting, and reformation of the said Wardens newly to be elected by vertue of this Act, and everie of them, according and after such forme as they do or use any of the said Wardens of the said Citie or Countie, by force of the said Act, made 7. Edw. 4. as all and everie other inquiries, corrections, searchings, sealings, and reformations to be had for the true making of *Worstedes*, *Sayes*, and *Stammins*, in and upon any person or persons, as well within the said Townes of *Linne* and *Parmouth*, as without, without let or veneration of any of the inhabitants of the said townes, in as large wise as they might have done before the making of this Act.

2 No person or persons shall take upon him, or them, to dye-calender any *Worsted* within this Realme, upon paine to forfeit for everie *Worsted* that is so dye-calendered, an hundred shillings. No person or persons shall take upon him or them to wet-calender any *Worstedes*, but onely such persons as have bene bound apprentices to other persons of the same occupation of wet-calendering of *Worsted*, by the space of seven yeares, or be cunning in the same, and their cunning approued and admitted by the Mayor of *Portwich*, and the two Masters of the said craft, yearly to be chosen within the said Citie of *Portwich*, or in the countie of *Portfolke*, of the Craft of wet-calendering, upon paine of everie such person which shall doe the contrarie, to forfeit for everie piece so calendered against the purueyances aforesaid, C.s. to the King and to the Masters of the said occupation of wet-calendering for the time being. And it shall bee lawfull to the Masters of the said occupation (for the time being) and their successors, to sue for the one moitie of all such penalties forf. against everie such person, as shall doe contrarie to the forme and effect of this Statute by A. of debt, B. P. J. &c. wherein no W. C. P. &c. j. H. 8. 4 25. H. 8. 5.

3 No person using the Mysterie of dying of *Worstedes*, *Stammins*, or *Sayes*, or any of them, neyther by himselfe, his Servant, Factor, Deputie, or any other by his assignement, shall use to calender any *Worstedes*, *Stammins*, or *Sayes*, or any other commodities made of *Worsted* yarne, during all such time as hee shall use the Mysterie of dying aforesaid, upon paine to forfeit for everie peere so dyed

L

No *Worsted* shall be dye-calendered.

Who shall wet-calender *Worstedes*.

None that die with *Worstedes* shall calender them.

and

Worsted.

and calendered by fraud, or contrarie to the true meaning of this Act, for the fillings to be divided into three equal parts, the one to the King, one other part to the Mayor of Norwich, and the third part to him or them that will sue for the same by Action, Information, &c. wherein no Cessaine, Protection, or delay &c. Anno 25. Hen. 8. 5.

So worsted transported before the same be shorn, dyed, and calendered.

What worsteds may be transported, and what not.

Every man shall put his marke to his worsted.

Who shall be worsted weavers of great Parhamouth & Linne.

The worsted of Linne and Parhamouth shall be dyed, shorn, and calendered at Norwich.

4 No person shall transport beyond the Sea any clothes of worsted, before the same be shorne, dyed, coloured, and calendered, upon paine of forfeiture of the value thereof to the King and 1. to be recovered by A. 3. &c. wherein no W. C. P. &c. 14. H. 8. 3. 26. H. 8. 16.

5 The Merchants and workers of Clothes, called single worsted, may carrie bolts of single worsted to what parts they will (except to the Kings Enemies) paying the customes and subsidies thereof due, notwithstanding any Statute, Ordinance, Proclamation, Inhibition, Commandements, or Charters, Liberties, Usages, or Priviledges, granted, or to be granted to the Merchants of the Staple, or to any other, made, or to be made to the contrarie. But under the colour of said bolts of single worsted, they shall carrie no double worsteds, nor halfe double, nor worsteds Ray, nor Potley, upon paine of forfeiture of the same. 17. R. 2. 3.

6 No man of the craft of worsted weavers within the Citie of Norwich, or the Countie of Norfolk, shall make any worsted, unlesse he put his proper marke fired or woven upon the same, ordained by the Wardens of the said Wykerie, upon paine to forfeit the same to the King, and for every peece of worsted sold, not marked after the forme aforesaid, the first seller shall forfeit the price so by him sold, to the King. 7. E. 4. 2.

7 No person inhabited within eyther of the Townes of great Parhamouth or Linne in the Countie of Norfolk, or the Suburbes thereof, shall weave or make any worsteds, Sayes, or Staminns, within eyther of the same townes, except he be an English man borne, and have bene Apprentice to the said occupation, and without he weave therein such proper marke, as shall be appointed by the Warden of eyther of the said Townes, where he shall inhabite, for the time being, elect and swoyne, upon paine of forfeiture thereof to the King. And every Warden of eyther of the said Townes, shall limit distinct and severall markes to every of the said worsted weavers of the same Townes of great Parhamouth and Linne, and the same Markes by the said Wardens shall bee registred in a Booke. And all Clothes of worsteds, Sayes and Staminns, made within any of the said townes of Linne and great Parhamouth, or the Suburbes of the same, or any of them, and marked with such markes as shall be limited to the makers by the said Wardens of the said Townes of Linne and Parhamouth, in manner and forme aforesaid, and weaved and sealed by any of the Wardens of the said Townes, in some abone remembred, may be lawfully put to sale by the owners, and makers of the same, without any other marking or sealing upon the said Clothes, or upon any of them, to be had or made by any other Wardens dwelling without the said Towne, and without any arrest, seizure, or forfeiture of the said Clothes, or any of them, for lacke of any other Seales or Markes: Any thing contained in the said Statute made 7. Edw. 4. &c. notwithstanding. Anno 14. Henrici 8. 3. 26. H. 8. 16.

8 The craft-men of worsted weavers inhabited within eyther of the said Townes of Linne and Parhamouth, or Suburbes of the same, and the Merchants, or any other person or persons, which shall buy of any of the same craftsmen, or of any other person any of the said Clothes of worsteds, Staminns, or Sayes, made

made within either of the said Townes of Linne and Yarmouth, and sealed by the Wardens of the same Townes, or any of them, shal not sheare, dye, or put in coloꝝ, or calender, any Woꝛstedes, Staminns, or Sayes, made within either of the said Townes of Linne and Yarmouth, or Suburbs of the same, in any other place, but only within the Citie of Poꝛwich, or Suburbs of the same, upon pain of foꝛfeiture of everie piece of Woꝛstedes, Sayes, or Staminns, to be made within anie of the said Townes of Linne and Yarmouth, or Suburbs of the same, or the value thereof, shorne, died, coloured, or calendered by any of the said craft-men, buyers, or Merchants, in any other place then in the said Citie of Poꝛwich, or Suburbs of the same: The one halfe thereof to the King, and the other halfe to such person or persons as shal seise the same: So that the said Woꝛstedes brought to the said Citie of Poꝛwich to be shorne, dyed, coloured, and calendered, without couin or craft of anie of the said Inhabitants and Merchants, may be shorne, dyed, coloured, and calendered, at, and by as convenient price, and in as readie wise, as the said Inhabitants of Linne or Yarmouth, and Merchants buyers, or other of the said Citie or Countie hath had in times past, or hereafter shal have, and also that everie of them so bzinging their said Woꝛstedes to the same Citie for to be shorne, dyed, coloured, and calendered, be reasonably and lawfully intreated, according to the Stat. made An. 7. Ed. 4. 14. H. 8. 3. 26. H. 8. 16.

9 Everie piece of Woꝛsted shalbe pursuing through the piece of lawfull making, good, and convenient stuffe, and shal hold the length, and breadth, as the assise was wont to be of old time, rightfully accustomed, viz. Beds of the greatest assise foureteene yards largely in length, and three yards largely in breadth, And Beds of the meane assise twelue yards in length and thre yards in breadth, And Beds of the least assise, tenne yards in length, and two yards and a halfe in breadth: And clothes, called Ponkes clothes, twelue yards in length at the least, and five quarters in breadth, And clothes called Chanon clothes, of the one assise five yards in length, and two yards in breadth, and of the other assise five yards in length, and seven quarters in breadth: And double Potlies seven yards in length, & five quarters in breadth, and single Potlies six yards in length, and five quarters in breadth: And double Woꝛsted ten yards in length, and five quarters in breadth, and the halfe double Woꝛsted six yards in length, and five quarters in breadth: And the roll of Woꝛsted thirtie yards in length, and halfe a yard in breadth, and no Lambs twoll shal be put in any of the said Woꝛstedes. And the Wardens of the craft of Woꝛsted Weavers of the Citie of Poꝛwich, and Countie of Poꝛfolke, and every of them for the time being, haue power to seise all such clothes and stuffe being defective. And the Mayoꝝ of Poꝛwich, and Steward of the Duchie of Lancaster, within the said Countie of Poꝛfolke, and every of them, by twelue of the discreet Artificers of the said Citie and Countie, haue power at all times to enquire, heare, and determine of all such as doe against the said Ordinances within the said Citie or Countie.

The length and breadth of woꝛsted and Potley.

7. E. 4. 2.

1 Who may buy Worsted Yarne spun in Norwich, or in the Countie of Norfolk. S. Yarne 1.

2 Worsted Yarne spunne in England, shall not be transported beyond the Seas. S. Yarne 2.

3 What Prentices Worsted makers dwelling in Linne, and great Yarmouth may take. S. Labourers 3 l.

Wrecke of the Sea. Yarne and Thrummes.

Wrecke of the Sea.

which shall be
said Ship-
wrecke, and
which not.

WHere a Span, a Dogge, or a Cat escape quicke out of the Shippe, such Shippe nor Barge, nor any thing within them shall be adiudged wrecke, but the goods shall be saved and kept by view of the Sherifes, Coroner, or the Kings Waylife, and deliuered into the hands of such as are of the Towne where the goods were found, so that if any sue for those goods, and after proue that they were his, or his Passers, or perished in his keeping, within a yeare and a day, they shall be restored to him without delay, and if not, they shall remaine to the King, and be seised to the Sherifes, Coroners, and Waylifes of the Towne, which shall answer before the Iustices of the wrecke, belonging to the King. And where wrecke belongeth to an other then to the King, he shall haue it in like manner. And he that otherwise doth, and thereof is attainted, shall bee awarded to prison, and make fine at the Kings pleasure, and shall yeeld dammages also. And if a Waylife doe it, and it be disallowed by his Lord, and the Lord will not discharge him thereof, the Waylife shall answer, if he haue whereof, and if he hath not whereof, the Lord shall deliuer his Waylifes bodie to the King. Westminst. 1. 3. Edw. 1. 4.

1 A Coroner shall enquire of the wrecke of the Sea, and the price thereof, and deliuer it to the townes to answer. S. Coroners 11.

2 The King by his Prerogatiue shall haue the wrecke of the Sea. See Prerogatiue 12.

Yarne and Thrummes.

who may buy
worsted yarne
in Norfolk
or Norwich.

No person shall buy, nor cause to be bought, within the Citie of Norwich or Countie of Norfolk, any yarne called Worsted yarne, the which shall bee spunne within the said Citie or Countie, but only Weauers, or other Artificers the which shall weaue, or otherwise worke, or cause to be wouen or wrought the said yarne in the said Citie of Norwich, or elsewhere within the said Countie of Norfolk, upon paine of 10s. for euery pound weight of Worsted yarne so bought, and not wouen or wrought, as is aforesaid 11. s. to the K. and J. that shall take the said yarne, or otherwise sue for the same by W. P. J. or otherwise, wherein no W. C. P. etc. But it is lawfull to euery hatmaker, dwelling within the Citie of Norwich, to buy such of the said Worsted yarne, as is called and knowne by the name of middle Wasse yarne, as they haue heretofore used to do, so that the said middle Wasse yarne so bought be wrought in Hats, or imploied to hatmaking within the said Citie. 33. H. 8. 16. 1. Ed. 6. 6. 5. Ed. 6. 7.

Middle Wasse
yarne.

No worsted
yarne shall be
transported.

2 If any person doe ship or conuey, or cause to be shipped to conuey beyond the Sea, or else doe carrie or cause to be carried beyond the Sea, any yarne called worsted yarne, and not wrought or made in cloth, so that such yarne be spunne or made within England, then he shall forfeit for euery pound of worsted yarne so shipped, conueyed, or caried 11. s. to the K. and J. to be recovered by A. B. P. or otherwise, wherein no W. C. P. etc. 33. H. 8. 16. 1. E. 6. 6. 5. E. 6. 7.

No Thrummes
shall be trans-
ported.

3 Whosoever doth carrie or bring out of the Realme any Thrummes or wollen yarne, vnder the colour of Thrummes, shall forfeit the double value of the same. 8. H. 6. 23.

4 No man shall buy yarne of Wooll, called Wollen yarne, if he will not make cloth thereof, vpon paine to forseit the same yarne, and foure-fold dammages, to haue two yeares imprisonment, and to make fine at the Kings pleasure. *None shall buy wollen yarne but to make cloth thereof.*
3.H.6.5.

1 No wollen yarne shall be transported, but which is wrought within this Realme.
S. Draperie 99.

2 None shall buy coloured yarne, but in open market. S. Draperie 68.

3 The Weauer shall put all the yarne to the cloth, or restore it. See Draperie 74.

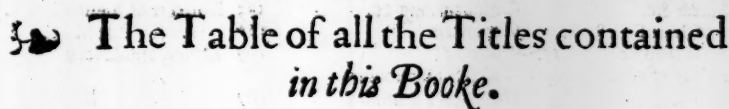
FINIS.

James and F. Brown.



1. The first of these is the fact that the United States has a large and growing population of people who are not citizens of the United States. This is a result of the large number of people who have immigrated to the United States in recent years, and the fact that many of these people are not naturalized citizens.

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